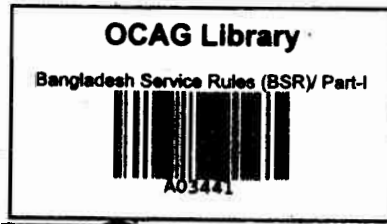


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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
C. M. L. A's SECRETARIAT
ESTABLISHMENT DIVISION



BANGLADESH SERVICE RULES
PART-I



FOREWORD

This is an exact reprint of former East Pakistan Service Rules, Part-I, dated 5th July, 1970 without any amendment or modification in the rules except that—

- (a) Wherever the words "Bengal", "East Bengal", "East Pakistan," "Pakistan" appear, they shall be deemed to have been replaced by the word "Bangladesh"

and

- (b) Wherever the words "Governor", "Governor General", "President", "Prime Minister", "Chief Minister" appear, they shall be deemed to have been replaced by the word "President".

(M. SYEDUZZAMAN)

*Secretary,
Finance Division.*



FOREWORD

This edition of the East Pakistan Service Rules, Part I, is really a reprint of the East Bengal Service Rules, Part I, which was published in 1953. Copies of 1953 edition have gone out of print long ago. Besides, in the meantime a considerable number of amendments have been made in the Rules. In this edition, the existing Rules as they stood on 30th June, 1970 have been incorporated after including all amendments made since the publication of the last edition in 1953. In order to meet the pressing demand for copies of these Rules from different quarters this edition has been issued.

2. The Accountant-General, East Pakistan and the Heads of Departments are requested to bring to the notice of the Services and General Administration (Regulation) Department—

- (a) any error or omission that might have crept in in this volume, and
- (b) any suggestion for corrections, additions and improvement.

A. M. F. RAHMAN,

Additional Chief Secretary,

Services and General Administration Department,

Government of East Pakistan.

DACCA;
The 5th July, 1970.

PREFACE TO THE FIRST EDITION (OF 1953)

1. *Contents of Part I of the East Bengal Service Rules.*—This part contains rules relating to conditions of service (excluding compensatory allowances, medical attendance and conduct rules) of officers under the rule-making power of the Government of East Bengal. In view of sub-section (4) of section 242 of the Government of India Act, 1935, as adapted for Pakistan, provisions relating solely to persons serving on the staff attached to the Dacca High Court have been omitted.

This part includes all amendments issued up to 1st May, 1953.

2. *The rules regulating compensatory allowances and medical attendance* are contained in Part II of this book.

3. *Source of the rules.*—The rules in this part though formally made under section 241 of the Act are not intended to introduce any changes in the substance or effect of relevant existing rules. They are intended merely to reproduce, with adaptations where necessary, the existing rules applying to officers under the rule-making power of the Provincial Government as they stand at the date of the present compilation. They are thus derived from—

- (a) Fundamental and Subsidiary Rules which continued in force after 1st April 1937 in virtue of section 276 of the Act.
- (b) The pension rules as in the Civil Service Regulations which continued to be in force.
- (c) New rules (including amendments) made under section 241 of the Act between 1st April 1937 and 1st May 1953 and now incorporated in this part.

The inclusion of rule 43 is a partial exception to this statement: the rule was decided upon by Government in February 1937 and is now promulgated by direction under clause (a) of sub-section (3) of section 241 of the Act.

4. *Extent of application.*—(a) *Officers under the rule-making control of the Governor-General.*—None of these rules is applicable to pay, leave and pensions and general rights in regard to medical attendance of any person appointed by the Governor-General. For such persons the Governor-General alone is competent under section 241 of the Act to make rules, and in virtue of section 276 of the Act existing Rules continue in force until modified.

The Provincial Government is competent to make rules as respects other conditions of service of these officers under its administrative control in virtue of the pre-existing power of Local Governments to make certain rules under the Fundamental Rules and the Civil Service Regulations when rules so made have continued in force under section 276 of the Act.

The application of rules so made to persons appointed by the Governor-General is however subject to the following exceptions:—

- (1) Matters for which express provision is made in Chapter II of Part X of the Act;
- (2) Matters in respect to which the Governor-General has made or may make rules under section 241 of the Act;
- (3) The provisions in the Act which protect the remuneration or pension of any such person who is in service when a new rule is made.

Though the present rules do not purport to be made under the pre-existing power of the Local Government, it may be generally assumed, for ease of reference that rules in the present part relating to joining time, occupation of residences and fees and honoraria are reproductions of rules made under due authority and applicable to these officers unless the contrary appears from the context: but in any case of doubt reference should be made to the source of the rule which appears from the Concordances printed in Appendices Nos. 11 and 12.

(b) *Other special cases.*—There may be individuals to whom leave or other rules in Civil Service Regulations apply in virtue of their having exercised, or not exercised, a particular option when changes occurred. Such cases are not provided for in these rules as they will gradually disappear, and meantime will be dealt with individually.

(c) *Subordinate Ranks of the Police Forces.*—Note 1 to rule 2 explains the position.

5. *Corrections and suggestions.*—The Accountant-General and Heads of Departments are requested to bring to the notice of the Finance Department—

(a) any suggestion for corrections or additions;

(b) any case in which it appears that a change of substance has been made in the relevant rules as they stood on 30th April, 1953.

H. T. ALI,

Joint Secretary,

to the Government of East Bengal,

Finance Department.

DACCA;

The 1st May, 1953.

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THE EAST PAKISTAN SERVICE RULES

PART I

(Made and amended from time to time by the Governor).

CHAPTER I

EXTENT OF APPLICATIONS

1. These rules may be called the East Pakistan Service Rules. Except where it is otherwise stated, they shall be deemed to have come into force with effect from the 15th August, 1947.

2. Subject to the provisions of the Constitution and except where it is otherwise expressed or implied, these rules apply to all members of services and holders of posts whose conditions of service the Government of East Pakistan are competent to prescribe, subject as aforesaid they also apply to—

(a) (i) any person for whose appointment and conditions special provisions is made by or under any law for the time being in force,

(ii) any person in respect of whose service, pay and allowances or pension or any of them special provision has been made by an agreement made with him—

in respect of any matter not covered by the provisions of such law or agreement;

[N.B.—Model forms of agreement are given in Appendix No. 9.]

(b) any person in respect of whom orders have been passed in exercise of the powers conferred by rule 4 of the Civil Service (Classification, Control and Appeal) Rules, partially excluding him from the operation of those rules, in respect of any matter not covered by such orders.

Note 1—[Omitted].

Note 2—[Omitted].

3. [Omitted]

4. The power of interpreting these rules is reserved to Government.

Note 1—Wherever in these rules a power is ascribed to Government only, that power may not be exercised except after consultation with the Services and General Administration Department. It is open to that Department to prescribe, by general or special order, cases in which its consent may be presumed to have been given, and to require that its opinion on any matter on which it has been consulted shall be submitted to the Governor by the Consulting Department.

Note 2—[Omitted].

CHAPTR II

DEFINITIONS

5. Unless there be something repugnant in the subject or context, the terms defined in this chapter are used in the rules in Parts I and II in the sense here explained—

(1) The *Act* means the Government of India Act, 1935, as adapted by Pakistan (Provincial Constitution) Order, 1947.

(2) *Actual travelling expenses* means the actual cost of transporting a Government servant with his servants and personal luggage, including charges for ferry and other tools and for carriage of camp equipment, if necessary. It does not include charges for hotels, travellers' bungalows or refreshments or for the carriage of stores or conveyances or the cost of telegraphic reservation of accommodation or conveyances or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants.

(3) *Apprentice* means a person deputed for training in a trade or business with a view to employment in Government service, who draws pay at monthly rates from Government during such training, but who is not employed in or against a substantive vacancy in a cadre. It includes a "recruit boy" enlisted in the East Pakistan Rifles.

(4) *Average Emoluments* means the average calculated upon the last three years of service.

Note 1—If during the last three years of his service, an officer has been absent from duty on leave with allowances, or having been suspended, has been reinstated without forfeiture of service, his emoluments, for the purpose of ascertaining the average, should be taken at what they would have been had he not been absent from duty or suspended; Provided always (a) that his pension must not be increased on account of increase in pay not actually drawn and (b) that an officer will not during leave be allowed to count as emoluments the officiating allowances which he would have been entitled to so count under the 5(20e) had he remained on duty, if another officer has been appointed provisionally in a substantive capacity, to the same appointment during the period of such leave.

Note 2—If, during the last three years of his service, an officer has been absent from duty on leave without allowances (not counting for pension), or in lower subordinate service, or suspended under such circumstances that the period of suspension does not count service, the periods so passed should be disregarded in the calculation of the average, an equal period before the three years being included.

Note 3—Excepting as provided in Note 1 and Note 2 only emoluments actually received can be included in the calculation. For example, when an officer is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculations.

(5) *Average pay*, means the average pay earned during the 12 complete months immediately preceding the month in which the leave is taken or the pay the Government servant was drawing immediately before proceeding on leave, whichever is more favourable :

• Provided that—

(a) in respect of any period spent on deputation in Europe or elsewhere out of Pakistan under conditions declared by Government to be

quasi European, the pay which the Government servant would have drawn, if on duty in Pakistan, shall be substituted for the pay actually drawn ;

(b) pay drawn in foreign service, less in the case of a Government servant paying his own contribution to leave salary such part of pay as may be paid as such contribution, will count as pay for the purpose of this clause; and

(c) in the case of a Government servant on foreign service out of Pakistan lasting for more than 12 months, who on reversion to service under Government, immediately takes leave under these rules, the calculation of average pay in respect of the leave earned while in Government service, shall be based on the pay drawn by him during the 12 complete months immediately preceding the month in which he was transferred to foreign service or the pay he was drawing immediately before his transfer to foreign service, whichever is more favourable.

Note 1—Under this clause the average is to be taken of the pay earned during 12 complete months immediately preceding the month in which leave is taken, or the pay he was drawing immediately before proceeding on leave whichever is more favourable, and for this purpose the expression “the 12 complete months immediately preceding” should be interpreted literally. Thus a Government servant who has been on leave otherwise than under section II of Chapter XV, from 23rd March, 1932 to 22nd July, 1932 inclusive is granted leave from the February, 1933. His average pay should be calculated on the pay earned for the periods from 1st February 1932 to 22nd March, 1932 and 23rd July, 1932 to 31st January 1933. If, however, a Government servant happens to be on leave for more than 12 months, immediately preceding the date on which he takes leave, then the average should be taken of the pay earned during the 12 complete months immediately preceding the month in which the leave originally commenced or the pay he drew immediately preceding the day on which the leave originally commenced, whichever is more favourable.

Note 2—Any period of joining time taken under either clause (b) or clause (c) of rule 80 during the preceding 12 months should be ignored calculating average pay.

Note 3—In the case of a Government servant of a vacation department both prefixing and affixing leave to a vacation, the leave-salary for the leave affixed should be calculated on the emoluments drawn by him during the 12 complete months immediately preceding the commencement of his leave, or the emoluments drawn by him immediately before the commencement of the leave, whichever is more favourable.

Note 4—In the case of Government servants who are exempted from the payment of contribution towards leave-salary while in foreign services, leave-salary should be based on the actual pay in foreign service without regard to the contribution which would have been payable but for the exemption.

(6) *Basic pay* means the pay, other than special pay, overseas pay, any other emoluments which may be specially classed as pay by Government or pay granted in view of personal considerations or qualifications, which has been sanctioned for a post held by a Government servant substantively or in an officiating capacity, or to which he is entitled by reason of his position in cadre.

(7) *Cadre* means the strength of a service or a part of a service sanctioned as a separate unit.

(8) *Camp equipage* means the apparatus for moving a camp.

(9) *Camp equipment* means tents and the requisites for pitching and furnishing them or, where tents are not carried, such articles of camp furniture as it may be necessary, in the interests of the public service, for a Government servant to take with him on tour.

(10) *Chaplain* includes any Minister of religion, whether in Government service or not, performing under proper authority the duties of a Chaplain.

(11) *Civil Services (Classification, Control and Appeal) Rules* means those rules to the extent to which they continue in force by virtue of the provisions of section 276 of the Act.

(12) *Clerical staff* means those Government servants of a subordinate service whose duties are entirely clerical and includes any other class of Government servants specially defined as such by order of Government.

(13) *Compensatory allowance* means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes a travelling allowance and an allowance granted to a medical Government servant who is denied the privilege of private practice, but does not include the grant of a free passage by sea to or from any place outside Pakistan.

Note.—Compensatory allowance is granted subject to the condition that it is not on the whole, a source of profit to the recipient, *vide* rule 37(v) of the East Bengal Financial Rules.

(13A) *Constitution* means the Constitution of the Islamic Republic of Pakistan.

(14) *Controlling Officer* means the authority declared by Government to be the Controlling Officer for the purposes of travelling allowance of a particular Government servant or class of Government servants.

Note 1—A list of Controlling Officers is set out in Appendix No. 2 in Part II.

Note 2—The Controlling Officer for the purposes of travelling allowance for the journey of a Government servant to join his post under a borrowing Government as well as for the return journey will be the Controlling Officer in regard to his post under that Government.

(15) *Day* means a calendar day, beginning ending and midnight, but an absence from headquarters which does not exceed twenty-four hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends.

(16) *Deputation* means special duty outside Pakistan. A Government servant placed on deputation draws his pay against the post in Pakistan which he would hold if he was not so deputed.

Note 1—Deputation inside Pakistan is not permissible. When a Government servant has to be put wholtime on any duty for which a post does not exist, a temporary post should be created for the performance of that duty.

(17) *Duty* includes—

(a) Service as a probationer or apprentice, provided that such service is followed by confirmation.

(b) Joining time.

(c) Extra leave on average pay granted to a Government servant undergoing treatment at a Pasteur Institute.

- (d) The period spent on a duly authorised course of instruction or training in Pakistan including the time reasonably required for the journeys to and from the place of instruction or training.

Note 1—An officer appearing at a departmental examination ordered to go direct from the place of examination to a settlement camp for training shall be considered to be on duty during the period between the conclusion of his examination and the date on which he joins the settlement camp.

- (e) In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a university, college or school in Pakistan the interval between the date on which he assumes his duties, provided he assumes his duties within such time as may be prescribed by the appointing authority.
- (f) In the case of an officer permitted to appear at an optional examination prescribed by Government in any of the oriental languages the reasonable period occupied in the journey to and from the place of examination and the day or days of the examination in addition to the time allowed for preparation. In the case of a candidate for the High Proficiency and Degree of Honour examinations in all vernacular languages, the period allowed for preparation, which will be treated as duty, shall not be more than three months. If the examination is by the Higher Standard or High Proficiency in Sanskrit Arabic or Persian, the candidate will be allowed a period not exceeding three months for preparation, which will be treated as duty if he undertakes to spend the period in study under professional tuition at any place approved by Government. The periods for preparation are not admissible for more than once.
- (g) In the case of an officer required to attend an obligatory departmental examination the reasonable time required for the journey to and from the place of examination and the day or days of the examinations.
- (h) In the case of an officer permitted to present himself at any examination which must be passed before a person is eligible for a higher subordinate appointment in any service, the number of days actually necessary to enable him to attend at the examination subject to the condition that this concession is not allowed more than twice for each standard of examination.
- (i) In the case of officers appointed in England who, on their first arrival in Pakistan do not, before they report themselves at the seat of Government, receive orders to take charge of a specified post, the interval between the date of such report and the interval between the receipt of orders and the date on which they take charge of their duties: provided that the interval between the receipt of orders and their assumption of their duties shall not unless Government extend the time by special order, exceed the amount of joining time which would be admissible to Government servant entitled to joining time under clause (a) of rule 30 without the days of preparation.

- (j) In the case of Engineer Officers of the Department of Communications, Buildings and Irrigation appointed from any Civil Engineering College in Pakistan or India, who are required under the rules of the Department, to pass obligatory examinations, in the vernacular languages, the period of three months for which they may be relieved of their posts in order to prepare themselves for such examination provided that the period is spent in Pakistan.
- (k) In the case of a relieving officer of the Department of Communications Buildings and Irrigation when the charge to be transferred consists of several scattered works which the relieving and relieved officers are required by the order of a superior officer to inspect together, the period taken in carrying out these inspections provided it is not considered by the Superintending Engineer to be excessive.

[NB—Note 2, rule 93 may be seen.]

- (l) In the case of officers of the Forest Department holding the substantive rank of Assistant Conservator, the two periods of three months each for which they may be relieved of the duties of their posts in order to qualify themselves for examinations that are compulsory under the rules of the Department provided that the examination is passed either during such period or within three months of its expiry: provided also that the said period is in each case spent in Pakistan.
- (m) In the case of a Government servant summoned to attend a court as a juror or assessor the time required for the journey to and from the court and the day or days required for attendance in the court as such.
- (n) In case of the ranks in Police and Jails, who are entitled to and granted free passes of leave under rule 130 of the East Pakistan Service Rules Part II, and the members of the Lower Subordinate Services of all departments and the Fire Service personnel recruited on or before the 14th August, 1947, while undertaking journey on leave to their home in West Pakistan and back by sea, the actual transit period between the ports of embarkation and disembarkation:

Provided that if the Government servant is held up at the port of embarkation due to unforeseen delay in the departure of the ship or other reasons beyond his control, the Head of Department may, at his discretion, allow an additional period not exceeding 4 days to count as duty.

Note 1—No leave can be treated as duty for the purpose of any of these rules unless the contrary is expressly stated therein

Note 2—The period of compulsory waiting by a Government servant for order of Government for his posting shall be treated as duty

(18) *East Pakistan Subordinate Service* includes any service or post appointment to which is made by an authority subordinate to Government.

(19) *East Pakistan Provincial Services* means those services under the administrative control of Government, which Government may from time to time declare, by notification in the *Dacca Gazette*, to be included in East Pakistan Provincial Services.

Note—The East Pakistan Provincial Services consist of a number of regular services and a number of isolated posts. A list of the former is given in Schedule I to the Recruitment Rules for Provincial Services and of the latter in Schedule I to the Recruitment Rules for the East Pakistan General Service.

(20) *Emoluments*, except for the rules in Chapter XVI, means and includes—

- (a) Pay,
- (b) Special pay,
- (c) Personal pay,
- (d) Fees or commissions if they are authorised remuneration of an appointment and are in addition to pay. In this case "emoluments" means the average earnings for last six months of service.
- (e) Officiating pay of an officer without a substantive appointment if the officiating service counts under rule 267 and the pay drawn by an officer who is appointed substantively or in an officiating capacity to a post in which the lien of the permanent incumbent has been suspended or terminated or if the post to which he is appointed is temporarily vacant in consequence of the absence of the permanent incumbent on extraordinary leave or on transfer to foreign service.

Note—In the case of an officer with a substantive appointment who officiates in another appointment or holds a temporary appointment, "emoluments" means—

- (a) The emoluments which would be taken into account under this rule in respect of the appointment in which he officiates or of the temporary appointment, as the case may be, or
- (d) The emoluments which would have been taken into account under this rule had he remained in his substantive appointment, whichever are more favourable to him.

(21) *Emoluments* for the purpose of the rule in Chapter XVI, means and includes—

- (a) Pay;
- (b) payment from the revenues of the Central or any Provincial Government and fees, if such payments for fees are received in the shape of a fixed addition to monthly pay and allowances as part of the authorised remuneration of the post;
- (c) Compensatory allowances, other than travelling allowance, whether drawn from revenues as in clause (b) or from a local fund;
- (d) full sanctioned pension irrespective of any commutation which may be made other than an extraordinary pension or compensation received under the Workmen's Compensation Act, 1923 or allowances attached to the Victoria Cross, the Military Cross, the King's Police Medal, the Pakistan or Police Medal, the Order of British India or the India Order or Merit;

- (e) in the case of a Government servant on leave, emoluments drawn by him for the last complete calendar month of duty prior to the leave in question;
- (f) In the case of a Government servant in receipt of a subsistence grant, the amount of the subsistence grant;

Provided that if he is subsequently allowed to draw pay for a period of suspension, the difference between the amount paid by him as remuneration, etc., on the basis of the subsistence grant and the amount due on the basis of the emoluments ultimately drawn by him for the period shall be recovered from him.

Note—Overseas pay shall be converted into rupees at such rate of exchange as Government may from time to time prescribe.

(22) *Family*—A Government servant's family includes, provided they are residing with him and are wholly depended upon him, his wife (but not more than one wife), his legitimate children and step children, and, except in rule 100 in part II his parents, sisters and minor brothers.

(23) *Federated State* means a state which has acceded to the Federation of Pakistan as contemplated in section 6 of the Act.

(24) *Fee* means a recurring or non-recurring payment to a Government servant from a source other than Government revenues whether made directly to the Government servant or indirectly through the intermediary of Government.

(25) *Foreign Service* means service in which a Government servant receives his pay, with the sanction of Government from any source (including the revenue of a local fund) other than the revenues of the Government of Pakistan or of a Provincial Government or from a company working a State Railway.

(26) *Government* means the Government of East Pakistan. Unless repugnant to the context the term includes predecessor Governments.

(27) *Government Servant in permanent employ* means a Government servant who holds substantively a permanent post or who holds lien on a permanent post or who would hold a lien on such a post had the lien not been suspended.

(28) *Heads of Departments* are Government servants declare to be such by Government (The term includes Heads of Directorate also for the purpose of these rules).

Note—A list of Heads of Departments is contained in Appendix No. 1.

(29) *Holiday* means—

- (a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881, and
- (b) in relation to any particular office, a day on which such office is ordered, by notification of Government in the *Dacca Gazette*, to be closed for the transaction of Government business without reserve or qualification.

(30) *Honorarium* means a recurring or non-recurring payment granted to Government servant from Government revenue as remuneration for special work of an occasional character.

(31) *Joining time* means the time allowed to a person under the conditions prescribed in Chapter XI of these rules to enable him—

(a) to join the post to which he has been appointed, or

(b) to proceed on leave from a remote station which is not easy of access.

(32) (a) *Leave on average (or half or quarter average) pay* means leave on leave-salary equal to average (or half or quarter average) pay, as regulated by rules 208 and 209.

(b) In their application to persons subject to the revised leave rules contained in section 2 of chapter XV of these rules, all references elsewhere in these rules to leave on average pay shall be read as reference to "earned leave" and all reference to four months' leave without distinction of kind as reference to ninety days' leave without distinction of kind.

(33) *Leave salary* means the monthly amount paid to a Government servant on leave, by Government, or, in the case of leave taken by a Government servant while of foreign service out of Pakistan, by the foreign employer.

(34) *Lien* means the title of a Government servant to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, which he has been appointed substantively

(35) *Local Fund* means—

(a) revenues administered by bodies which by law or rule having the force of law, come under the control of Government, whether in regard to proceedings generally or to specific matters, such as the sanctioning of their budgets, sanction to the creation or filling up of particular posts, or the enactment of leave, pension or similar rules; and

(b) the revenue of anybody which may be specially notified as such by the President or by the Governor, as the case may be.

(36) *Lower Subordinate Service* means any kind of service which may be specially classified as such by order of Government and any other kind of service on pay not exceeding what is normally granted to members of this service.

Note—This new service was constituted by Government Orders communicated in Finance Department No. 4594-F., dated 17th July, 1951, to replace "inferior service".

(N.B.—A list of such service is given in Appendix No. 10)

(37) *Month* means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

Note—In calculating a period of say 3 months and 20 days from 25th January, 3 months should be taken as ending on 24th April and 20 days on 14th May. In the same way the period from 30th January to 2nd March should be reckoned as 1 month and 2 days, because 1 month from 30th January ends on 28th February.

(38) *Officiate*—A Government servant officiates in a post when he performs the duties of a post on which another person holds a lien, or when he is appointed by the authority competent to make a substantive appointment to the post to officiate in a vacant post on which no other person holds a lien.

Provided that in the circumstances regulated by rules 39, 68 or 100 Government servant may be appointed to officiate in a post without actually performing the duties of the post.

(39) *Overseas pay* means pay granted to a Government servant in consideration of the fact that he is serving in a country other than the country of his domicile.

(40) *Pay* means the amount drawn monthly by a Government servant as—

(i) the pay other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and

(ii) Overseas pay, special pay and personal pay, and

(iii) any other emoluments which may be specially classed as pay by Government.

(41) *Pension*—Except when the term “pension” is used in contradistinction to gratuity “pension” includes gratuity.

(42) *Permanent post* means a post carrying a definite rate of pay sanctioned without limit of time.

(43) *Personal pay* means additional pay granted to a Government servant—

(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post, due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or

(b) in exceptional circumstances, on other personal considerations.

(44) *Presumptive pay* of a post, when used with reference to any particular Government servant, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the Government servant performs or discharges the work or responsibility, or is exposed to the unhealthy conditions, in consideration of which the special pay was sanctioned.

(45) *Privilege leave* means leave on full pay admissible under the Civil Service Regulations of old. It may be identified with the “first 4 months of leave on average pay” or “earned leave” under the revised leave rules.

(46) *Probationer* means Government servant employed on probation in or against a substantive vacancy in the cadre of a department.

Note—Scope of the term “probationer”—The term “probationer” does not cover a Government servant who holds substantively a permanent post in a cadre and is appointed “on probation” to another post.

No person appointed substantively to a permanent post in a cadre is a probationer, unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examinations.

The status of a probationer is to be considered as having the attributes of a substantive status except where the rules prescribe otherwise.

(47) *Public Conveyance* means a train, steamer or other conveyance which plies regularly for the conveyance of passengers.

(48) *Special pay* means an addition, of the nature of pay, to the emoluments of a post or of a Government servant, granted in consideration of—

- (a) the specially arduous nature of the duties; or
- (b) a specific addition to the work or responsibility; or
- (c) the unhealthiness of the locality in which the work is performed.

(49) *Sphere of duty*—A Government servant's sphere of duty shall be such as the Head of the Department may define, and is, in the absence of orders to the contrary, the area of the executive jurisdiction of himself or the head of his office.

Note—A list showing spheres of duty of particular Government servants specially fixed is given in Appendix No 3 to Part II of these rules.

(50) *Subsistence grant* means a monthly grant made to a Government servant who is not in receipt of pay or leave salary.

(51) *Substantive pay* means the pay other than special pay, personal pay or emoluments classed as pay by Government under sub-clause (iii) of clause (40) of this rule, to which a Government servant is entitled on account of a post to which he has been appointed substantively or by reasons of his substantive position in a cadre.

Exception—Special pay attached to the post of Head Assistant in the Secretariat shall be treated as part of substantive pay, provided the incumbent thereof holds the post substantively.

This amendment shall have effect from 1st January, 1959.

(52) *Superior service* means any kind of service other than the lower subordinate service.

(53) *Temporary post* means a post carrying a definite rate of pay sanctioned for a limited time.

(54) *Tenure post* means a permanent post which an individual Government servant may not hold for more than a limited period.

Note—If a question arises whether a post is or is not a tenure post, the decision of Government thereon will be final.

(55) (a) *Time-scale pay* means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum.

(b) Time-scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of the time-scales are identical.

(c) A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character of degree of responsibility in a service or establishment or group of establishments; so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact he holds that post.

(56) *Transfer* means the move of a Government servant from one headquarters station in which he is employed to another such station, either—

- (a) to take up the duties of a new post; or
- (b) in consequence of a charge of his headquarters.

(57) *Travelling allowance* means an allowance granted to a Government servant to cover the expenses which he incurs in travelling in the interest of the public service. It includes allowances granted or the maintenance of conveyances, horses and tents.

(58) *Vacation Department* means a department or part of a department to which regular vacations are allowed during which Government servants serving in the Department are permitted to be absent from duty.

Note 1.—(a) The following classes of Government servants serve in vacation departments when the conditions of this sub-rule are fulfilled.:

- (i) Judicial officers.
- (ii) Educational officers other than inspecting officers and their establishments.
- (iii) Officers of all Polytechnic and Monotechnic Institutes and technical and industrial schools.
- (iv) Professors of Physiology and Anatomy of the Dacca Medical College. Also Assistant Professor of Chemistry, Physiology and Anatomy, Dacca Medical College.

Professors of Anatomy and Physiology; Lecturers of Anatomy, Physiology and Chemistry, Demonstrator of Anatomy, Physiology and Chemistry and Epidioscope operator of the Rajshahi Medical College.

- (v) Teachers and Demonstrators at Mhe Dacca, Mymensingh, Sylhet, Rajshahi and Chittagong Medical Schools, except those entrusted with the duties of the Deputy Superintendent of the Schools, or allotted hospital duties, by the Superintendent of the Schools and the Epidioscope operator in the Medical College, Dacca.
- (vi) Demonstrators of the Anatomy and Physiology Department, all non-medical demonstrators of the Chemistry Department of the Medical College, Dacca.
- (vii) Medical officer-in-charge of Government Hostels attached to the Rajshahi College.
- (viii) (a) Officers and staff of the East Bengal Agricultural Institute, except the Professor of Agronomy whose leave will be governed by normal rules so long he remains in-charge of the Dacca Farm.
- (ix) Official Assignee, East Bengal.
- (x) Official Receiver, High Court, Dacca.
- (xi) Any other class of Government servants which Government may declare to be so serving.
- (b) In case of doubt as to whether a Government servant is serving in a vacation department or not, the decision of Government shall be final.

Note 2—District and Sessions Judges are not treated as belonging to a vacation department.

6. Unless it be expressly stated to the contrary, where a reference occurs in these rules to a rate of exchange between Pakistani rupee and currency of other countries which Government may by order prescribe, such rate shall, until further orders, be the then official rate of exchange, as prescribed by the Government of Pakistan in the Ministry of Finance.

CHAPTER III

GENERAL CONDITIONS OF SERVICE

7. (1) Except as otherwise provided by rule, no person whose age exceeds twenty-five years may be admitted into the service of Government in pensionable service.

Note—This rule does not apply to the employment in civil capacities of reservists and pensioners of the Pakistan Army.

(2) In the case of Civil Assistant Surgeons the limit of age for admission into service under sub-rule (1) shall be twenty-eight years and in the case of appointment to judicial office, thirty years.

8. Unless any rule directs otherwise, Heads of Departments other than the Inspector-General of Police, may in exceptional cases, where they are competent to make the appointment, and for reasons to be recorded in writing, condone an excess in age over the prescribed limit.

Note—The Inspector-General of Police is empowered to condone the excess over the age limit in the case of temporary forces and establishment of the Intelligence Branch and District Intelligence Branch in all its Branches.

9. A declaration of age, made by an applicant for Government service at the time of, or for the purpose of, entry into Government service shall be deemed to be binding on the person who has made it and no revision of such a declaration shall be allowed to be made by him at a later date for any purpose whatsoever.

10. Subject to the provisions of any special rules regulating his recruitment, no person may be substantively appointed in Pakistan, whether on probation or otherwise, to a permanent post in Government service without a medical certificate of fitness, which must be submitted before appointment (where any rules so direct), or affixed to his first pay bill.

Provided that, in individual cases, the production of a medical certificate may be dispensed with, where the pay or scale of pay of the post does not exceed Rs. 95, by the authority having power to make the appointment, or, in other cases, by Government.

Note 1—This rule refers only to a person's first substantive appointment to permanent service under Government, and not to his subsequent substantive appointment to a particular post for the first time.

Note 2—A scale of pay exceeds Rs.95 when the maximum pay in the scale exceeds that figure.

N.B.—Medical certificate of fitness from an authorised medical officer must be obtained in respect of all temporary appointments which are likely to continue for one year or more.

11. Except as otherwise provided by rule, a Government servant already appointed substantively, whether on probation or otherwise, to a permanent post in Government service on the production of a medical certificate of fitness, may be promoted or transferred to another post in Government service without a further medical certificate.

12. The production of a medical certificate of fitness is necessary when—

- (a) a Government servant is promoted from non-qualifying service paid from a local fund to a post in superior Government service ;
- (b) a person is re-employed after resignation, discharge or forfeiture of past service.

13. Except as otherwise provided by rule, the medical certificate of fitness referred to in this Chapter shall be in the following form :

“I hereby certify that I have examined A.B., a candidate for employment in the.....Department, and cannot discover that.....has any disease, constitutional weakness or bodily infirmity, except.....I do not consider this a disqualification for employment in the office of..... A.B.'s age is , according to.....own statementyears, and by appearance about.....years.”

14. The certificate referred to in rule 13 shall be signed by a commissioned medical officer of Government performing medical duties or by a medical officer in charge of a civil station or such other medical officers serving in Dhaka who are specifically authorised to grant such certificates :

Provided that—

- (a) in the case of a female candidate, the Head of the Department may accept a certificate signed by any female registered medical practitioner ; and
- (b) in the case of a candidate for appointment to a post on a pay or scale of pay not exceeding Rs. 95, the appointing authority may accept a certificate signed by any registered medical practitioner.

15. Unless in any case it be otherwise distinctly provided, the whole time of a Government servant is at the disposal of Government and he may be employed in any manner required by proper authority, without claim for additional remuneration; whether the services required of him are such as would ordinarily be remunerated from revenues of the Central or a Provincial Government, from a local fund or from the revenues of a Federated State.

16. (1) Two or more Government servants cannot be appointed substantively to the same permanent post at the same time.

(2) A Government servant cannot be appointed substantively, except as a temporary measure, to two or more permanent posts at the same time.

(3) A Government servant cannot be appointed substantively to a post on which another Government servant holds a lien.

17. Unless in any case it be otherwise provided in these rules, a Government servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

18. In the case of a Government servant who holds no lien on any appointment except that which is abolished, the abolition of the appointment may be deferred till such leave as was admissible to him immediately before the abolition of the appointment and as may be granted has terminated.

Note—This rule does not apply to the holder of a temporary appointment without a lien on a permanent post.

19. Unless his lien is suspended under rule 20 or transferred under rule 23, a Government servant holding substantively a permanent post retains a lien on that post—

- (a) while performing the duties of that post ;
- (b) while on foreign service, or holding a temporary post, or officiating in another post ;
- (c) during joining time on transfer to another post ; unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post ;
- (d) subject to sub-rule (2) of rule 22, while on leave; and
- (e) while under suspension.

20. (1) The lien of a Government servant on a permanent post which he holds substantively shall be suspended if he is appointed in a substantive capacity—

- (a) to a tenure post, or
- (b) to permanent post outside the cadre on which he is borne, or
- (c) provisionally, to a post on which another Government servant would hold a lien had his lien not been suspended under this rule.

(2) The lien of a Government servant on a permanent post which he holds substantively may be suspended if he is deputed out of Pakistan or transferred to foreign service, or, in circumstances not covered by sub-rule (1), is transferred, whether in a substantive or officiating capacity, to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.

(3) Notwithstanding anything contained in sub-rules (1) and (2) a Government Servant's lien on a tenure post may in no circumstances be suspended. If he is appointed substantively to another permanent post, his lien on the tenure post must be terminated.

(4) If a Government servant's lien on a post is suspended under sub-rule (1) or (2) the post may be filled substantively, and the Government servant appointed to hold it substantively shall acquire a lien on it : provided that the arrangements shall be reversed.

Note 1—This clause applies if the post concerned is a post in a selection grade of a cadre.

Note 2—When a post is filled substantively under this clause, the appointment will be termed a provisional appointment; the Government servant appointed will hold a provisional lien on the post; and that lien will be liable to suspension under sub-rule (1) or (2) of this rule.

(5) A Government servant's lien which has been suspended under sub-rule (1) shall revive as soon as he ceases to hold a lien on a post of the nature specified in that sub-rule.

(6) A Government servant's lien which has been suspended under sub-rule (2) shall revive as soon as he ceases to be on deputation out of Pakistan or on foreign service or to hold a post in another cadre, provided that a suspended lien shall not revive because the Government servant takes leave if there is reason to believe that he will, on return from leave, continue to be on deputation out of Pakistan or on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in sub-rule (1).

21. (1) Except as provided in rule 22 a Government servant's lien on a post may in no circumstances be terminated, even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.

(2) In case covered by clause (b) of sub-rule (1) of rule 20 the suspended lien may not, except on the written request of the Government servant concerned be terminated while the Government servant remains in Government service.

22. (1) Notwithstanding the provisions of sub-rule (1) of rule 20, the lien of a Government servant holding substantively a permanent post shall be terminated on his appointment substantively to the post of Chief Engineer, Communications and Buildings Department.

(2) Notwithstanding anything contained in this chapter, when a Government servant holding substantively the post of Chief Engineer, Communications and Buildings Department, takes leave immediately on vacating his post, he shall during the leave be left without a lien on any permanent post.

23. Subject to the provisions of rule 24, the lien of a Government servant who is not performing the duties of the post to which the lien relates even if that lien has been suspended, may be transferred to another permanent post in the same cadre.

24. (1) A Government servant may be transferred from one post to another : Provided that, except (i) on account of inefficiency or misbehaviour, or (ii) on his written request, he shall not be transferred substantively to, or except in a case covered by rule 65, appointed to officiate in, a post carrying less pay than the pay of the permanent post on which he holds a lien, or would hold a lien had it not been suspended under rule 20.

(2) Nothing in sub-rule (1) of this rule or in clause (34) of rule 5 shall operate to prevent the retransfer of a Government servant to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of sub-rule (1) of rule 20.

Note.—Permanent transfer from a higher to a lower scale in anticipation of the abolition of a post is not transfer within the meaning of this rule.

25. A Government servant may be required to subscribe to a provident fund, a family pension fund or other similar fund in accordance with such rules as Government may by order prescribe.

26. Subject to any exceptions specifically made in these rules, and to the provisions of rule 27, an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post, and shall cease to draw them as soon as he ceases to discharge those duties.

Note.—A Government servant will begin to draw the pay and allowances attached to his tenure of a post with effect the date on which he assumes the duties of that post, if the charge is transferred before noon of that date. If the charge is transferred in the afternoon he commences to draw them from the following day.

27. (1) The pay of a Government servant recruited overseas who receives a first class passage to Pakistan shall commence from the date of his arrival in Pakistan, subject to his reporting himself for duty without avoidable delay.

(2) The pay of a Government servant recruited overseas who receives a second class passage shall commence from the date of embarkation for Pakistan, subject to his reporting himself for duty without avoidable delay.

(3) In either case when such a Government servant is prevented on account of illness or other unavoidable circumstances from proceeding at once to take up the duties he should be granted leave not due under the rules applicable to his case.

(4) This stipulation "subject to his reporting himself for duty without avoidable delay" shall be regarded as fulfilled if the Government servant reports for duty within the period allowed by the rules regulating joining time, allowing only one day for preparation.

Note.—The minimum of a Government servant's time scale of pay (including overseas pay, if any) shall be treated as his average pay for the purpose of calculating leave salary for the period of leave not due, and for the purpose of rule 209.

28. Unless for special recorded reasons of a public nature the Head of a Department under whose orders the transfer takes place permits or requires it to be made in any particular case elsewhere, or otherwise, the charge of an office must be made over at its headquarters, both the relieving and the relieved officers being present.

Note.—The condition that both the relieving and relieved officers must be present is not enforced in the case of officers who are permitted to combine vacation with leave under section IV of Chapter XV. In such cases the following procedure has been laid down—

(a) When vacation is prefixed to leave the outgoing officer will report before leaving the headquarters or if for urgent reasons the leave is granted during vacation, as soon as it is granted, that he makes over charge with effect from the end of the vacation. The relieving officer will then take over charge at the end of the vacation in the ordinary way.

(b) When vacation is affixed to leave the officer to be relieved will make over charge in the ordinary way before the vacation, the incoming officer on return at the end of the vacation taking over charge with effect from the beginning of the vacation.

29. The headquarters of a Government servant shall be in such place as the Head of a Department may prescribe and are, in the absence of any orders to the contrary, the station where the records of his office are kept.

Note.—Deputy Inspector-General of Police may, change the headquarters of Government servants serving under them, provided that such changes are temporary and that the Inspector-General of Police is informed.

30. No Government servant is entitled to pay or allowance for any time he may spend beyond the limits of his charge without proper authority.

Note.—A police officer acting within his legal powers or an Excise officer acting under the orders of the Collector or other superior authority is deemed to be duly authorised to remain beyond the limits of his charge for the purposes of this rule.

31. A Head of a Department may expect in the case of a journey beyond the Province authorise any Government servant under his administrative control to proceed on duty to any place in East Pakistan, whether within or beyond his own jurisdiction.

Note 1.—The Inspector-General of Police should continue to obtain previous sanction of Government to the sending of recruiting parties beyond the province.

Note 2.—A Government servant permitted under this rule to proceed to any place on duty may take with him such establishment and records as are absolutely necessary for the efficient discharge of his duties.

Note 3.—Subordinate Judges, who are "District Judges" within the meaning of section 254(3) of the Act, may be temporarily posted to hold court at another station by Government and other subordinate Judges and Munsifs similarly posted by the High Court, in conference with the following principle :—

- (i) Such an order of temporary posting which has the effect of treating the officer as on tour for the purpose of the rules regulating travelling allowance should only be passed when an additional court is temporarily added to the permanent staff of a station in order to assist the permanent officer of the place in dealing with increase of work there.
- (ii) An order of transfer should be made when there is to be a change of personnel or when the officer is not expected to return to the post from which he is transferred or when he is expected to occupy the post to which he is transferred for 3 months or more. In such cases a temporary post will be created, to which the transfer will be made.
- (iii) No order of temporary posting should be passed when it is proposed to post in place of the officer transferred a substitute other than a probationary munsif who is already under training at the headquarters station.

32. Under the general or special orders of Government, a Government servant may be authorised to proceed beyond his jurisdiction to attend a non-official conference.

33. An authority declared by Government to be a controlling officer for the purpose of travelling allowance may allow any Government servant subordinate to him to proceed on duty to any part of the territories of Government or to a district or Settlement adjoining the jurisdiction of the controlling officer and to draw travelling allowance under rule.

Note.—A list of controlling officers is contained in Appendix No. 2 to Part II.

34. Unless Government in view of the special circumstances of the case, shall otherwise determine, after five years' continuous absence from duty, elsewhere than on foreign service in Pakistan, whether with or without leave, a Government servant cannot be in Government employ.

CHAPTER IV

DOMICILE

35. Subject to the provisions of the other rules in this chapter, the domicile of a person shall, for the purposes of these rules, be determined in accordance with the following principles :—

(1) A person can have only one domicile.

(2) The domicile of origin of every person of legitimate birth is in the country in which at the time of his birth his father was domiciled, or, if he is a posthumous child, in the country in which his father was domiciled at the time of the father's death.

(3) The domicile of origin of an illegitimate child is in the country in which at the time of his birth his mother was domiciled.

(4) The domicile of origin prevails until a new domicile has been acquired, and a new domicile continues until the former domicile has been resumed or another has been acquired.

(5) (i) A person acquires a new domicile by taking up his fixed habitation in a country which is not that of his domicile of origin.

(ii) Any person may, if the law of any country so provides, and subject to any such provisions, acquire a domicile in that country by making, in accordance with the said provisions, a declaration of his desire to acquire such domicile.

Explanation (i)—A person is not to be considered as having taken up his fixed habitation in a country merely by reason of his residing therein service under the Crown or in the exercise of any profession or calling.

Explanation (ii)—A person does not acquire a new domicile in any country merely by reason of residing as part of the family or as a servant of any ambassador, consul or other representative of the Government of another country.

(6) The domicile of a minor follows the domicile of the parent from whom he derives his domicile of origin :

Provided that the domicile of a minor does not change with that of his parent if the minor is married or holds any office or employment in service under the Crown or has set up with the consent of the parent in any distinct business.

(7) After marriage a woman acquires the domicile of her husband if she had not the same domicile before, and her domicile during the marriage follows the domicile of her husband :

Provided that if the husband and wife are separated by the order of a competent court, or if the husband is undergoing a sentence of transportation, the wife becomes capable of acquiring an independent domicile.

(8) Save as otherwise provided above, a person cannot, during minority, acquire a new domicile.

(9) An insane person cannot acquire a new domicile in any other way than by his domicile following the domicile of another person.

36. A person who—

- (a) was born and has been educated exclusively in Asia and had not, at the date with reference to which his domicile is to be determined, resided out of Asia for a total period exceeding six months, or
- (b) before that date had claimed and been deemed to be of Asiatic domicile for the purpose of his appointment under any Government in Pakistan or of the conferment upon him by such Government of any scholarship, emoluments or other privilege, shall be deemed to have had his domicile in Asia on that date, unless in the case of a person to whom clause (a) applies and clause (b) does not apply, it is proved to the satisfaction of Government that he did not have his domicile in Asia at that date.

37. If any question arises as to the domicile of any person, the decision thereon of Government shall be final for the purposes of these rules.

Note—A model domicile questionnaire is given below. It is not exhaustive and other questions may be put—

(1) State your birth place, date of birth and place or places where you were educated.

(2) State paternal grand father's birth place.

(3) Where was your grand father residing when your father attained his majority? If in Asia, state whether your grand father had at that time taken up a fixed habitation in Asia or was resident there only in the exercise of a profession or calling.

(4) Where was your father educated and where was he residing (a) at your birth, and (b) when you attained your majority? If in Asia, state whether he had at those times taken up a fixed habitation in Asia or was resident there only in the exercise of a profession or calling.

(5) Did your father during your minority spend any periods of leave outside Asia, purchase property outside Asia, or show in any other way an intention of making his fixed habitation outside Asia? Give full particulars.

(6) If your father retired from Government or other service or profession in Asia when you were a minor, did he continue to reside in Asia afterwards? How old were you at the date of his retirement?

(7) Give full particulars of any periods spent by you out of Asia prior to your appointment to Government service in Pakistan.

(8) In what ways did you show an intention of taking up a fixed habitation outside Asia prior to your appointment to Government service.

(9) Have you ever claimed and been deemed to be a native of Pakistan for the purpose of your appointment to any office under any Government in Pakistan or for the conferment upon you by such Government of any scholarship, emoluments or other privilege?

CHAPTER V

PAY

38. [Omitted].

39. A Government servant while on duty as defined in any of sub-clauses (d) or (f) to (i) of clause (17) of rule 5, will draw the pay (including special pay, if any) of the appointment held by him when he is placed on such duty :

Provided that if it be an officiating appointment, he may draw the pay (including special pay, if any) which he would be entitled to draw in the officiating appointment, only for the period or periods during which he would have held that appointment had he not been placed on that duty.

40. A student on duty as defined in sub-clause (e) of clause (17) of rule 5, may be paid such monthly sum, not exceeding Rs. 200 as the authority competent to fill the post to which it is proposed to appoint him may fix, or such monthly sum in excess of Rs. 200 as Government may sanction :

Provided that such sum shall in no case exceed the minimum of the pay of the post to which it is proposed to appoint him.

41. Rules 42 to 52 inclusive apply to time-scales of pay generally. They do not however, apply to any time-scale sanctioned by Government after the 9th March, 1926, in so far as they are inconsistent with terms specially so sanctioned for such time-scale.

42. The initial substantive pay of a Government servant who is appointed substantively to a post on a time-scale of pay is regulated as follows :

(1) If he holds a lien on a permanent post, other than a tenure post, or would hold a lien on such a post had his lien not been suspended—

(i) when appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purposes of rule 54) than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post ;

(ii) when appointment to the new post does not involve such assumption, he will draw as initial pay the stage of the time-scale which is equal to his substantive pay in respect of the old post, or, if there is no such stage, the stage next below that pay, plus personal pay equal to the difference ; and in either case will continue to draw that pay until such time as he would have received an increment in the time-scale of the old post or for the period after which an increment is earned in the time-scale of the new post, whichever, is earlier ; whereupon he will draw pay at the stage of the new time-scale next above that which he drew initially, and thenceforward he will lose any personal pay granted under this rule and all connection with the old time-scale. But if the minimum pay of the time-scale of the new post is higher than his substantive pay in respect of the old post, he will draw that minimum as initial pay ;

(iii) when appointment to the new post is made on his own request under sub-rule (1) of rule 24 and the maximum pay in the time-scale of that post is less than the substantive pay in respect of the old post, he will draw that maximum as initial pay.

(2) If the conditions prescribed in clause (1) are not fulfilled, he will draw as initial pay the minimum of the time-scale. :

Provided—

(a) if he has previously held substantively or officiated in—

(i) the same post, or

(ii) a permanent or temporary post on the same time-scale, or

(iii) a permanent post, other than a tenure post, on an identical time-scale, or temporary post on an identical time-scale, such post being on the same time-scale as a permanent post ;

Or

(b) if he is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated, the initial pay shall not be less than the pay other than special pay, personal pay or emoluments classed as pay by Government under sub-clause (iii) of clause (40) of rule 5, which he drew on the last such occasion, and he shall count for increment the period during which he drew that pay on such last and any previous occasions ;

Provided further that—

if he is appointed to a post which involves the assumption of duties or responsibilities of greater importance (as interpreted for the purpose of rule 54) than those attached to the old post he will draw as initial pay at the stage of the time-scale next above his officiating pay in respect of the old post provided it is certified by the appointing authority that he could have held the old post continuously at least for a period of one year but for his appointment to the new post ;

Provided further that—

if he is appointed to a higher post or to a post of equal responsibilities carrying different rates of pay on his own seeking or is appointed to a post after retrenchment or discharge he shall be entitled to draw pay in the time-scale of the post at the stage admissible after counting towards increments completed years of previous service whether continuous or not, rendered on a pay either equal to or higher than the minimum of the time-scale of the post in which he is appointed subject to the condition that the pay so fixed shall in no case exceed the pay last drawn by him before such appointment and that the period of extraordinary leave, if taken previously shall be excluded in determining the length of previous service.

*Note 1—*For the purpose of this rule sterling overseas pay shall be converted into rupees at such rate of exchange as Government may by order prescribe ;

Provided that for the purpose of this note, when the rupee equivalent of the sterling overseas pay is not an exact multiple of the increment, the amount by which it exceeds the exact multiple nearest below shall be ignored.

Illustration—A being a Government servant of non-Asiatic domicile drawing Rs. 950 is promoted to a post, the sanctioned pay of which is Rs. 650—50—1,200 plus £25 sterling overseas pay when held by an officer of non-Asiatic domicile. The rupee equivalent of £25 at 1s. 6d. to the rupee is Rs. 333 which is not exact multiple of 50. The amount by which 333 exceeds 300, the exact multiple nearest below 333, will be ignored and A's initial pay will be Rs. 700 plus £25.

Note 2—Proviso (a) (iii) to this rule requires that the temporary post, if any, previously held should not only be on an identical time-scale but should also be borne on the same time-scale as a permanent post. The reason underlying the second condition is that unless the temporary post is on the same time-scale as a permanent post, the pay of the former may be inflated and that in such a case the inflated pay should not be reflected in the pay of a Government servant who is transferred from such a temporary post to another post, permanent or temporary on an identical time-scale. This condition may be waived when there is no permanent post in the office or department in the same time-scale as the temporary post if it is clear that the pay of the temporary post has not been inflated.

Note 3—A time-scale may be of recent introduction, whereas the cadre or class to which it is attached may have been in existence on a graded scale before the time-scale came into force or it may be that one time-scale has taken the place of another. If a Government servant has held substantively, or officiated in, a post in the cadre or class prior to the introduction of a new time-scale, and has drawn during the period salary or pay equal to a stage, or intermediate between two stages, in the new time-scale then the initial pay in the new time-scale may be fixed at the salary or pay last drawn and the period during which it was drawn may be counted for increment in the same stage, or if the salary or pay was intermediate between two stages, in the lower stage of the time-scale.

Note 4—The re-employment of a Government servant after resignation is equivalent to a first appointment to Government service for the purpose of this rule. He will, therefore, draw the minimum of the time-scale unless a higher rate of pay is specially sanctioned under rule 49.

Note 5—Reversion to the ordinary cadre of a service from a tenure post included in that cadre or from a tenure or special post not included in it does not constitute "substantive appointment to a post" for the purposes of this rule.

Note 6—The expression "if he holds a lien on a permanent post" occurring in clause (f) of rule 42 should be held to include the lien on a permanent post to which a Government servant is appointed in a provisional substantive capacity under sub-rule (4) of rule 20, and expression "substantive pay in respect of the old post" occurring in that rule should be held to include his substantive pay in respect of that provisional substantive appointment. Clause of rule 42 should, therefore, be held to permit the substantive pay in respect of a provisional substantive appointment being taken into account in determining his initial pay in another post to which he is appointed. When the initial pay of a Government servant in a post is thus fixed, it will not be affected even if during the tenure of his appointment to that post he reverts from his provisional appointment.

Note 7—Pay of a Government servant on promotion to a higher post on the date on which increment accrues in the lower post should be fixed after giving effect to the increment earned in the lower post.

Note 8—The condition in paragraph (a) (iii) in clause 2 of rule 42 that the temporary post should be on the same time-scale as a permanent post shall not be enforced when a temporary post is (f) created by Government for the purpose of work of the same nature as the ordinary work for which permanent posts exist in a cadre under a different Department and (ii) sanctioned on a time-scale identical with the time-scale applicable to the present post in the cadre under a different Department.

Note 9—When two posts are on identical time-scales, it should be held that the duties and responsibilities of the posts are not very different in nature, irrespective of the fact whether the pay of two post is borne in the regular or work-charged establishment or is paid from Contingency and the duty rendered in any such post will be allowed to count towards increment.

N.B.—No adjustment of arrear pay shall be allowed for the post from 1st April, 1957 to 31st December, 1959.

43. The initial substantive pay of a Government servant who is appointed substantively to a post on a time-scale of pay which has been reduced for reasons other than a diminution in the duties or responsibilities attached to posts thereon and who is not entitled to draw pay on the time-scale as it stood prior to reduction, is regulated by rule 42 provided, both in cases covered by clause (1) of that rule and in cases, other than those of re-employment after resignation from the public service, covered by clause (2) that if he either—

(a) has previously held substantively or officiated in—

(i) the same post prior to reduction of its time-scale, or

(ii) a permanent or temporary post on the same time-scale as the unreduced time-scale of the post, or

(iii) a permanent post other than a tenure post, or a temporary post, on a time-scale of pay indetical with the unreduced time-scale of the post, such temporary post being on the same time-scale as a permanent post, or

(b) is appointed substantively to a tenure post the time-scale of which has been reduced without a diminution in the duties or responsibilities attached to it and has previously held substantively or officiated in another tenure post on a time-scale identical with the unreduced time-scale of the tenure post.

then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by Government under sub-clause (iii) of clause (40) of rule 5, which he would have drawn under rule 42, on the last such occasion, if the reduced time-scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasions.

Note—Persons, if any, who performed duty in a post on the unrevised scale between 21st July, 1931, and 1st April, 1934, remain entitled to the option given by the proviso to rule 9 of the Bengal Services (Revision of Pay) Rules, 1934.

44. The holder of a post, the pay of which is changed, whether he holds it in a substantive or officiating capacity, shall be treated as if he were transferred to a new post on the new pay; provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised is final.

Note—A temporary post which is replaced by a permanent post on the same or a different rate of pay is not a "post the pay of which is changed" for the purpose of this rule, not the same post as the newly created permanent post for the purpose of rule 42. In such circumstances, therefore, the initial pay of the incumbent of the temporary post in the new permanent post should be determined not under this rule but under rule 42, and without consideration of the pay of the temporary post, unless the circumstances entitled the officer to the concession set out in proviso (a) (ii) of rule 42.

N.B.—The provisions of rule 266 are not affected by the decision in this Note.

45. When an increment is ordered to be withheld, the authority passing the order shall state the period for which it is to be withheld, and whether the postponement shall have the effect of postponing future increments; and if so, for how long. Where the order fails to specify clearly for what period the officer is to be deprived of his increments, the deprivation shall be held to cease on the expiry of the period during which the officer would have drawn the increment initially withheld. Moreover, unless the order provides otherwise, the officer shall, when the deprivation ceases, be restored in all respects to the same position in the time-scale as he would have occupied had the order not been passed.

46. Where an efficiency bar is prescribed in a time-scale the increment next above the bar shall not be given to a Government servant without the specific sanction of the authority empowered to withhold increments.

Such sanction shall be based not on the mere absence of an unsatisfactory report but on the positive statement of the reporting officer that the service of the Government servant concerned has been such as to justify the passing of the bar.

Note—A question has arisen whether departmental proceedings are necessary for the stoppage of increment at the efficiency bar in the normal course. An increment may be withheld at an efficiency bar either for—

(i) as a disciplinary measure, or

(ii) for inefficiency.

In the former case the normal procedure for disciplinary action is to be observed for stopping the increment.

When the increment is stopped on the ground that the Government servant is not fit to cross the efficiency bar, it will not amount to disciplinary action. It must be borne in mind that to cross the efficiency bar, the Government servant must be declared to have attained the standard of efficiency which would justify the statement by the Sanctioning Authority that he is fit to cross the bar.

47. When a Government servant is allowed to pass an efficiency bar which had previously been enforced against him, he shall ordinarily proceed from the efficiency bar to the next stage in the time-scale. If, however, the authority competent to declare the bar removed is of opinion that the Government servant should be restored to the time-scale at the stage he would have reached but for the operation of the efficiency bar or at any intermediate stage, he shall refer the case for the orders of Government.

48. The following provisions prescribe the conditions on which service counts for increments in a time-scale :—

(a) All duty in a post on a time-scale counts for increments in that time-scale.

Note—Subject to any conditions that may be imposed by rule for any service or post, service as a probationer counts as duty so far as may concern the drawing of increment preceding the increment admissible on confirmation. Except that, in the case of a probationer who has entered or enters service after the 9th March, 1926, no increment shall be drawn during any period by which a period of probation is extended.

(b) Service in another post, whether in a substantive or officiating capacity service on deputation and leave other than extraordinary leave count for increments in the time-scale applicable to the post on which the Government servant holds a lien, as well as in the time-scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended.

(c) If a Government servant, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower post, count for increments in the time-scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower is, however, restricted to the period during which the Government servant would have officiated in the lower post but for his appointment to the higher. This clause applies also to a Government servant who is not actually officiating in the lower post at the time of his appointment to the higher post, but who would have so officiated had he not been appointed to the higher post.

Note—For the purpose of this rule, service under the Central Government shall be treated in the same manner as service under the Provincial Government.

(d) If a Government servant's tenure of a temporary post which he holds substantively interrupted by duty in another post or by leave other than extraordinary leave or by foreign service, such duty, leave or foreign service counts for increments in the time-scale applicable to the temporary post if the Government servant returns to the temporary post.

Note—In respect of Government servants with lien on permanent posts, it was never intended that the provision in clause (d) should supersede that in clause (b). Clause (d) covers entirely a different class of cases, e.g., where the Government servant has no permanent post to fall back during leave, etc., except the temporary post to which he was appointed. A permanent Government servant may, however, be appointed substantively to a temporary post when his lien on his substantive appointment is suspended.

(e) Foreign service counts for increments in the time-scale applicable to—

(i) the post in Government service on which the Government servant concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended, and

(ii) any post to which he may receive officiating promotion under rule 100, for the duration of such promotion.

(f) Extraordinary leave does not count for increments, but Government may, in any case where they are satisfied that the leave was taken on account of illness or for any other cause beyond the Government servant's control, direct that the whole or any portion of such leave shall count for increments under clause (b) or clause (d) above.

(g) A period of overstay of leave does not count towards increments.

Note 1—In the case of a Government servant who, while officiating in one post, is appointed to officiate in another, the period of joining time spent in proceeding from one post to the other should be treated as duty in the post the pay of which the Government servant draws during the period and will count for increments in the same post under his rule.

In the case of a Government servant who, while officiating in a post, proceeds on duty as defined in sub-clauses (d) or (f) to (i) of clause (17) of rule 5, the period of such duty will count for increment in the post in which he was officiating prior to so proceeding.

Note 2—Although joining time taken under clauses (b) and (c) of rule 80 is treated as duty under sub-clause (b) of clause (17) of rule 5, it cannot be treated as duty for the purposes of increment in an officiating post in as much as only leave salary is drawn for the period,

49. An authority may grant a premature increment to a Government servant on a time-scale of pay if it has power to create a post in the same cadre on the same scale of pay.

Note—When an *ex-serviceman* is appointed to a civil post on a time-scale, he will be entitled to count for increments in such time-scale the following categories of approved war services rendered between the 3rd September, 1939 and the 1st April, 1946:—

(i) Completed years of service rendered in His Majesty's Force;

(ii) Completed years of other war services in the post carrying pay either equal to or higher than the one attached to the post which the person is appointed.

The above benefit will be admissible either on first appointment or on any subsequent appointment of a person in civil posts whichever is more favourable to him provided that the increased pay on account of such war service drawn in a previous appointment will be re-adjusted when the period of war services is counted in subsequent appointment to another post.

[*N.B.*—The term "subsequent appointment" occurring in Note below Rule 49 of East Pakistan Service Rules, Part I, does not mean promotion. Appointment of Sub-Assistant Surgeons to the East Pakistan Medical Services is to be regarded as a case of promotion, *vide* G.O. No. FIR-18(29)/55-639-F, dated 14th February, 1956.] [*This Note withdrawn. See supplement.*]

50. A member of a Civil Police force who, before his appointment to such force, has served in the reserve of the Pakistan and/or Indian Army may, if his military service, whether or not including service with the colours in addition to service in the reserve, was pensionable under military rules but terminated before he had qualified for pension, be permitted at a discretion of the Head of the Department to count for increments of pay in such Civil Police force the whole of his service with the colours, if any, and half his service in the reserve.

51. A subordinate police officer, *i.e.*, an officer of or below the rank of Inspector, when re-enlisted after discharge or resignation may, with the sanction of the authority competent to fill the appointment held by him, be allowed to count towards increment of pay the service (including military police service) rendered before such discharge or resignation, even though it was not on the same time-scale or was under another Government. Each case, however, will be decided on its merits and it must always be considered whether the individual is deserving of the privilege.

52. (I) When a Government servant is ordered to be reduced to a lower stage in a time-scale, the authority passing the order shall include in the order—

(i) a statement of the period for which the reduction is to remain in force and

(ii) a statement whether on the expiry of the period the Government servant's previous service in the stage of the time-scale from which he was reduced, and the period during which the orders of reduction were in force, shall count for increment in whole or in part or not at all. If the former statement be not made, or be not clear, the period of reduction shall expire on the termination of the period at the close of which the officer would have drawn his next increment had the order of reduction not been passed; and if the latter statement be not

made, or be not clear, the Government servant shall be entitled, on the expiry of the period of reduction, to count towards increment his previous service in the state of the time-scale from which he was reduced, and the period during which the orders of reduction were in force.

(2) The authority which orders the transfer of a Government servant as a penalty from a higher to a lower grade or post may allow him to draw any pay, within the limits of the pay that would have been admissible to him had he continued in the lower scale throughout and the maximum of that scales which it may think.

53. When a Government servant is ordered to be reduced to a lower grade or post, and is subsequently promoted or reinstated, his previous service in the grade or post from which he was reduced counts for increment, unless the authority promoting or reinstating him declares that it shall not so count either in whole or in part. The period during which the order of reduction were in force does not count for increment upon promotion or reinstatement.

54. Subject to the provisions of Chapter VII, a Government servant who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, other than a tenure post, unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching to the post, other than a tenure post, on which he holds a lien, or would hold a lien had it not been suspended. For the purpose of this rule, the officiating appointment shall not be deemed to involve the assumption of duties and responsibilities of greater importance if the post to which it is made is on the same scale of pay as the permanent post, other than a tenure post, on a scale of pay identical therewith.

Note—The restriction in this rule is not enforced strictly against a Government Servant who is prevented, in the interest of public service, from coming back to his regular line, to officiate in the higher post, for which he is otherwise qualified. He is, in such cases, allowed to draw full officiating pay without assuming the duties and responsibilities of the higher post under the so-called "next below rule".

The intention of so-called rule is that an officer out of his regular line should not suffer by forfeiting officiating promotion which he would otherwise have received had he remained in his regular line. From this it follows that the fortuitous officiating promotion of some one junior to an officer who is out of the regular line does not in itself, give rise to a claim under the "next below rule." Before such a claim is established it should be necessary that all the officers senior to the officer who is out of the regular line have been given officiating promotion, and also the officer next below him unless in any case the officiating promotion is not given because of inefficiency, unsuitability or leave. In the event of one of these three bars being applicable to the officer immediately below the officer outside his regular line, then some other officer, even more junior, should have received officiating promotion and the officers, if any, in between should have been passed-over for one of these reasons.

This should be allowed as a temporary expedient and arrangement should be made to revert such an officer to his parent office as soon as possible. Application of the "next below rule." amounts to temporary upgrading of posts and should not be permitted except in very exceptional circumstances and that too for very short period.

55. Subject to the provision of clause (c) of rule 48 and of rules 54 and 58 a Government servant officiating in a post will draw the presumptive pay of that post, provided that except in the case of a Government servant whose appointment to the post in which he is officiating was made on his own request under sub-rule (1) of rule 24, if the presumptive pay of the permanent post,

on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than the presumptive pay of the post in which he officiates he will draw the presumptive pay of the permanent post.

Note—Ordinarily leave should be refused to a Government servant while officiating in a higher appointment if it is known that he is applying for a short period of regular leave with the deliberate intention of getting the benefit of an increment in his substantive post during the period of leave and will thereby be entitled to a higher pay on re-appointment to his officiating post than what he would have drawn had he continued to officiate without a break. If, however, leave is granted in the natural course of events, e.g., when the effect of leave on officiating pay is not realised at the time of granting leave or if the leave applied for is considered really necessary, or if there is any short break in the officiating service for any other cause, his officiating pay should be limited under rule 58 to what he would have drawn had he continued to officiate without a break.

56. [Omitted.]

57. When a Government servant officiates in a post the pay of which has been fixed at a rate personal to another Government servant, he shall draw the pay sanctioned for the post without reference to a particular individual in accordance with the principles set out in rule 55 or, where no such pay has been fixed, such pay as Government may determine.

58. The pay of an officiating Government servant may be fixed by Government at an amount less than that admissible under those rules.

Note 1—When a Government servant is appointed to officiate in a time-scale of pay but has his pay fixed below the minimum of the time-scale under this rule, he must not be treated as having effectually officiated in that post within the meaning of rule 42 or having rendered duty in it within the meaning of rule 48. Such an officer, on confirmation, should have his initial pay fixed under clause (2) of rule 42 and draw the next increment after he has put in duty for the usual period required, calculated from the date of his confirmation.

Note 2—Officiating pay at a reduced rate is granted in circumstances stated in Note to rule 55.

Note 3—One class of cases falling under this rule is that in which a Government servant merely holds charge of the current duties and does not perform the full duties of the post.

59. Heads of Departments may sanction officiating appointments in the place of Government servants who are treated as on duty as defined in clause (17) of rule 5, sub-clause (a), (c), (e) and (i) excepted.

60. Unless in any case there are orders of Government to the contrary, personal pay shall be reduced by any amount by which the recipients pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

61. [Omitted.]

CHAPTER VI

Fees and Honoraria

62. Subject to the provisions of rule 63, a Government servant may be—

- (a) Permitted to perform a specified service or series of services for a private person or body or for a public body, including a body administering a local fund, or for a Federated State, and, if the service be material, to receive as remuneration therefor a non-recurring or recurring fee;

Provided that—

- (i) Unless the Government servant is on leave, the sanctioning authority certifies in writing that the services can be performed without detriment to the Government servant's official duties or responsibilities; and
- (ii) If the services are performed during time which would otherwise be spent in the performance of official duties, the fee shall be credited to General Revenue, unless the sanctioning authority for special reasons which should be recorded, directs that the whole or any specified part thereof may be paid to the Government servant;
- (c) If granted or permitted to receive an honorarium from revenue of the Central or a Provincial Government as remuneration for work performed which is occasional in character and either so laborious or such special merit as to justify a special reward.

Note 1.—When the work falls within the scope of the Officer's ordinary duties, the test of special merit prescribed in this rule should be very strictly applied.

Note 2.—An honorarium shall not be given under this rule for superintendent of examination of candidates rendered compulsory on persons belonging to the public service or any other examination, the conduct of which comes within the ordinary duties of the officer or officers conducting them. But an honorarium may be granted to a Government servant superintending an examination of candidates for admission to the public service or any other examination the conduct of which is declared by Government or the Head of a Department authorised to hold such examination not to come within the ordinary duties of the Government servant or servants conducting them.

Note 2.—The acceptance of fees by medical officers for professional attendance or other services is not regulated by this chapter.

63. The following conditions shall regulate the acceptance of fees or honoraria, namely:—

- (i) No Government servant may accept a fee without the sanction in writing of a competent authority.
- (ii) Except when special reasons exist, which should be recorded in writing by the sanctioning authority, sanction shall not be given to the acceptance of a fee or honorarium unless the work has been undertaken with the prior consent in writing of the sanctioning authority, and unless the amount has been settled with his concurrent in advance.
- (iii) The amount of a fee or honorarium shall be fixed with due regard to the value of the services in return for which it is given.

(iv) The sanctioning authority shall record in writing that due regard has been paid to the principle enunciated in rule 15 and shall record also the reasons which in his opinion justify the grant of extra remuneration.

64.(1) Subject to budget provision in the case of a grant, the power to grant or to permit the acceptance of an honorarium or fee under rule 62 may be exercised—

- (i) in the case of a Government servant where the honorarium or fee in a year does not exceed Rs. 1,000 by the Administrative Departments;
- (ii) in the case of a Government servant where the honorarium or fee in a year does not exceed Rs. 500 by the Head of Directorate;
- (iii) in the case of a Government servant where the honorarium or fee does not exceed Rs. 250 by the Divisional Deputy Directors; and
- (iv) in the case of a Government servant where the honorarium or fee does not exceed Rs. 100 by the appointing authority, other than the Administrative Department, Head of Directorate or Divisional Deputy Director.

(2) Notwithstanding anything contained elsewhere in this rule—

- (a) Government servants in the Education Department, including Clerical and other subordinate staff, may, without any previous sanction, undertake any kind of work in connection with the examination of any University or Board of Intermediate and Secondary Education or of any other statutory or recognised examination body of the Province and accept fees therefor, provided that the University or the Board or the examination body concerned submits an annual report to Government showing the fees paid to Government servants on this account; and
- (b) the Director of Public Instruction may permit members of an Educational service to undertake work as examiners for any University in Pakistan outside East Pakistan, a Public Service Commission or the Institute of Engineers (Pakistan) and accept fees on that account, provided that he submits an annual report to Government showing the nature of the work undertaken by each Government servant and the fees received, and that the previous sanction of Government is obtained when the work involves a journey outside East Pakistan.

CHAPTER VII

COMBINATION OF APPOINTMENTS

65. The Head of a Department, where he has the power to make substantive appointments to each of the posts, and in other cases, Government, may appoint one Government servant to hold substantively as a temporary member, or to officiate in two or more separate posts at one time. In such cases the Government servant's pay will be regulated as follows:—

(a) He may draw the highest pay to which he would be entitled if his appointment to one of the posts stood alone, on account of his tenure of that post;

(b) For each other post he may draw such reasonable pay, in no case exceeding one-fifth of the presumptive pay (excluding overseas pay) of such posts, as Government may fix; and

(c) If a compensatory allowance is attached to one or more of the posts, he may draw such compensatory allowance as Government may fix, provided that it shall not exceed the total of the compensatory allowances attached to all the posts.

Note 1—The presumptive pay for the purpose of clause (b) of this rule shall be taken to be (i) what the Government servant would draw as initial pay in the additional post, were he formally transferred to it, or (ii) where the maximum pay of the additional post is less than his pay in his substantive appointment, the maximum pay of the additional post.

Note 2—This rule does not apply in the case of an officer discharging the duties of more than one appointment in the same office or on the same establishment. An Officer so employed is entitled to the highest pay to which he would be entitled if he held or officiated in any one of the appointments alone and to nothing more.

Examples—An Under Secretary discharging the duties of a fellow Under Secretary in addition to his own duties.

A Joint Magistrate appointed in addition to his own duties to officiate as Magistrate of the district. In this case he gets pay only as an officiating Magistrate.

A District Judge deprived of the help of an Additional or Assistant Judge and therefore, doing Additional or Assistant Judge's work.

A Joint Magistrate doing the work of a Second Joint Magistrate in the district as well as his own.

A subordinate doing the duties of another subordinate in the same office.

[N.B.—Conditions for grant of additional pay to Government servant performing duties of more than one post may be seen in the East Pakistan Service (Delegation of Powers) Rules, 1962, which are contained in Appendix 13.]

CHAPTER VIII

DEPUTATION OF PAKISTAN

66. No Government servant may be deputed out of Pakistan without the sanction of Government or of an authority empowered by Government in that behalf.

67. A period of deputation runs from the date on which the Government servant makes over charge of his office in Pakistan to the date on which he resumes it: or if he is on leave out of Pakistan when placed on deputation, the period of deputation is the time actually taken up by the duty.

68. The pay of a Government servant deputed for duty out of Pakistan shall ordinarily be regulated as follows:

(a) If he is deputed for duty in Europe, or if his deputation elsewhere is declared by Government to be under quasi-European conditions, then—

(i) if he is sent from Pakistan for the purpose of the deputation and does not include any leave within the period of his absence from Pakistan, he shall receive for the first month of such absence the pay which he would have drawn had he remained on duty in Pakistan, for the second month $\frac{11}{12}$ ths of such amount, for the third month $\frac{2}{3}$ ths of such amount, for the fourth month $\frac{1}{2}$ ths of such amount, for the fifth to tenth months inclusive $\frac{1}{3}$ ths of such amount, and thereafter $\frac{1}{4}$ ths of such amount;

(ii) if he is not sent from Pakistan for the purpose of the deputation, or having been so sent, includes a period of leave within the period of his absence from Pakistan, he shall receive as pay throughout his deputation $\frac{1}{2}$ ths of the pay which he would have drawn had he remained on duty in Pakistan:

Provided that in either case a Government servant having his domicile in Pakistan may be permitted during the period of deputation to draw in lieu of the pay admissible under this clause, such pay as Government may determine, not exceeding the pay which he would have drawn had he remained on duty in Pakistan.

(b) If he is deputed elsewhere than in Europe and if his deputation is not declared by Government to be under quasi-European conditions, his pay shall be determined by Government with due regard to the character and responsibility of the duty and to the existing pay of Government servants of status sufficient to warrant their selection for the deputation.

Note 1—Government have ordered that a subordinate police officer deputed on duty out of Pakistan shall receive full pay during the entire period of his absence from Pakistan.

Note 2—Government servants deputed for duty out of Pakistan may also receive free passages and compensatory allowances including travelling allowances at such rates and under such conditions as are laid down in rules 168 to 172 East Pakistan Service Rules, Part II read with Appendix No. 16 to Part II.

Note 3—In the expression “pay which he would have drawn had he remained on duty in Pakistan” occurring in this rule and in rule 69 and in the similar expression in clause (5) of rule 5 the term “Pay” is to be interpreted literally in accordance with clause (40) of rule 5 and will therefore include overseas pay if the officer is entitled to it while on duty in Pakistan, and the pay which the officer would have drawn is to be determined for this purpose by the appropriate authority in Pakistan. Where an officer is placed on continuous service with a commission or committee whose functions require him to work both in and out of Pakistan, the expression shall be interpreted with reference to the pay which he would have drawn in Pakistan had he remained there on duty with the said commission or Committee.

Note 4—If a Government servant on deputation out of Pakistan drawing pay under sub-clause (i) of clause (a) of this rule takes leave and thereby brings his case under sub-clause (ii), any overdrawal of pay shall be recovered in not more than three equal monthly instalments commencing with his first full month's pay after his return to Pakistan, provided that this recovery may be waived by the authority sanctioning the deputation if the leave taken does not exceed one month and was occasioned by illness or other urgent and unforeseen circumstances.

Note 5—Though no change of duties is involved, deputation pay out of Pakistan may be enhanced on account of officiating promotion in Pakistan.

69. (1) If a Government servant is placed on deputation while already on leave on average pay out of Pakistan, he may, provided leave on average pay is otherwise admissible to him, convert deputation into leave and continue to consume leave on average pay. If he elects this course, he will receive in addition to leave salary an honorarium of $\frac{1}{4}$ th of the pay which he would have drawn had he remained on duty in Pakistan.

(2) If a Government servant while on leave out of Pakistan is placed on deputation in Europe or under conditions declared by Government to be quasi-European and does not elect the course allowed by sub-rule (1), the deputation shall be regarded as an interruption of the leave already granted.

Note—The expression "at any one time" in rule 184(b) should be interpreted as meaning "in each separate period of leave granted". The effect of this ruling will be that in ordinary circumstances the leave of such an officer will be extended by the period of the deputation, but the deputation will not entitle him to a fresh grant of leave. The balance of the un-enjoyed leave should be worked out before the deputation intervenes and the amount of leave to be enjoyed subsequently on the expiry of the deputation should be restricted to this available balance.

CHAPTER IX
DISMISSAL, REMOVAL AND SUSPENSION

70. The pay and allowances of a Government servant who is dismissed or removed from service cease from the date of such dismissal or removal.

*71. A Government servant under suspension is entitled to subsistence grant at the rate of one-third of the pay of the suspended Government servant.

72. When the suspension of a Government servant is held to have been unjustifiable or not wholly justifiable; or when a Government servant who has been dismissed, removed or suspended is reinstated; the punishing, appellate or revising authority may grant to him for the period of his absence from duty—

- (a) if he is honourably acquitted, the full pay to which he would have been entitled if he had not been dismissed, removed or suspended, and by an order to be separately recorded, any allowance of which he was in receipt prior to his dismissal, removal or suspension; or
- (b) if otherwise, such proportion of such pay and allowances as the punishing, appellate or revising authority may prescribe.

In a case falling under clause (a) the period of absence from duty will be treated as a period spent on duty. In a case falling under clause (b) the period may be treated as duty or leave but it will not be so treated unless the punishing appellate or revising authority directs accordingly.

Note 1—When the orders passed are in respect of a Government servant in temporary employ, regard should be had to the period for which the temporary appointment was sanctioned.

Note 2—Posts vacated by dismissed Government servant may be filled substantively subject to the condition that the arrangements thus made will be reversed if the dismissed Government servant is reinstated on appeal.

Note 3—When, on re-instatement of a suspended Government servant the period of suspension is treated as leave, the period will be debited to his leave account. In case of leave other than extraordinary leave, subsistence grant already allowed will be adjusted against leave salary. When the period of suspension is treated as extraordinary leave, subsistence grant already allowed will not be recovered.

Note 4—The period of absence of Government servant on reinstatement in service after wrongful retirement shall be treated as a period spent on duty and he will be entitled to pay and allowances as admissible under clause (a) of this rule.

73. If a Government servant is absent from duty by reason of being committed to prison either for debt or on a criminal charge, he shall not be allowed to draw any, pay, leave salary or allowances for the period of such absence until the termination of the proceedings against him, when an adjustment of his emoluments shall be made according to the circumstances of the case, the full amount being given only in the event of the Government servant being acquitted of blame, or, if the imprisonment was for debt, of its being proved that the Government servant's liability arose from circumstances beyond his control. When the full amount is allowed, the period of such absence from duty will be treated as a period spent on duty: when less than the full amount is allowed, the period may be treated as duty or leave, but it will not be so treated unless the authority passing orders on the case directs accordingly.

Note 1—The term "Committed to prison" as used in this rule should be deemed to include cases of persons "taken into custody".

Note 2—A Government servant committed to prison either for debt or on a criminal charge should be considered as under suspension from the date of his arrest, and should be allowed the subsistence grant laid down in Rule 71 until the termination of the proceeding against him.

***74** Leave may not be granted to a Government servant while he is under suspension or committed to prison.

Note—This rule does not prevent the grant to a Government servant, on the termination of the period of his suspension or of the proceedings in connection with which he was committed to prison, of leave for the period of his suspension or committal to prison.

*See Supplement.

CHAPTER X

*COMPULSORY RETIREMENT

75. [Omitted.]

76. [Omitted.]

77. [Omitted.]

78. [Omitted.]

79. When a Government servant is required to retire, revert or cease to be on leave on attaining a specified age, the date on which he attains that age shall be reckoned as a non-working day, and the Government servant shall retire, revert or cease to be on leave, as the case may be with effect from and including, that day.

Note—In the case of an officer whose year of birth is known but not the exact date, the 1st of July should be treated as the date of birth for the purpose of determining when he should be held to attain the age of compulsory retirement. Similarly, if only the year and month of birth are known, the 16th of the month is taken to be the exact date of birth for the purpose of pension.

*The date of compulsory retirement of a Government servant is subject to, and governed by the provisions of Article 178 of the Constitution.

CHAPTER XI
JOINING TIME

80. Subject to the General conditions that the authority ordering the posting may in any case curtail, and that Government may in any case extend, the amount of joining time admissible under this Chapter, a Government servant is entitled to joining time to enable him—

- (a) to join a new post to which he is appointed while on duty in his old post; or
- (b) to join a new post—
- (i) on return from leave on average pay of not more than four month's duration or from combined vacation and leave on average pay amounting to not more than four months, or
- (ii) when in the opinion of the authority who granted the leave, the Government servant has not had sufficient notice of his new appointment, on return from leave other than that specified in sub-clause (i); or
- (c) to travel from the port of debarkation or, in the case of arrival by aircraft from its first regular port in Pakistan and/or to organise his domestic establishment when he returns from leave out of Pakistan of more than four months' duration including any vacation if combined with leave, or
- (d) to proceed—
- (i) on return from leave from a specified place to join a post in a remote station which is not easy of access, or
- (ii) on departure on leave on relinquishing charge of a post in a remote station which is not easy of access, to a specified place : Provided that joining time shall not be allowed for the purposes specified in clause (c) or (d) to any person to whom rule 211 applies.

Note—The joining time and travelling allowance of military officers in civil employ are governed by the civil rules by virtue of the rules in the Army Regulations, Defence Service Regulations or Passage Regulations which admit of the grant of the joining time and travelling allowance to military officer in civil employ not only on the occasion of their transfer to the civil employ and re-transfer to military employ but also when they are actually serving in civil employ. For the purpose of these rules, privilege leave under the military leave rules should be treated as leave on average pay of not more than four months duration.

81. Except as provided in rules 82 and 83 the amount of joining time admissible under the first three clauses of rule 80 is determined as follows:

- (a) For preparation, six days; and
- (b) For that portion of the journey which the Government servant travels or might travel—

	One day for each :
By railway	250 miles.
By ocean steamer	200 „
By river steamer	80 „
By motor-vehicle, or horse-drawn conveyance plying for public hire.	80 „
In any other way	15 „

Provided that for travel by steamer, any longer time actually occupied in the journey shall be allowed; and

(c) For any fractional portion of any distance prescribed in clause (b) one extra day :

Provided that such joining time is subject to a maximum of 30 days, and in cases falling under clause (c) of rule 80, if the Government servant so desires, to a minimum of 10 days.

Note 1—When part of the journey is by Steamer, the period for preparation may be extended to cover any time unavoidably spent in awaiting the departure of the steamer.

Note 2—Travel by road not exceeding 5 miles to or from a railway or steamer station at the beginning or end of a journey does not count for joining time.

Note 3—Except that they are included in the maximum of 30 days, sundays do not count as days for the purpose of calculations in this rule.

Note 4—The joining time of a Government servant whose pay does not exceed Rs. 100 is calculated on the assumption that he does not travel by motor-vehicle or horse drawn conveyance plying for public hire.

Note 5—The joining time of a Government servant who is entitled to travel by air or specially authorized by a competent authority to travel by air on transfer, is 6 days for preparation and in addition the number of days actually taken in the air journey.

82. When the new post is not in a new station or when the Government servant does not change his residence from one station to another, the joining time admissible under clause (a) or (d) of rule 80 is one day only.

Note—A holiday counts as a day for the purpose of this rule.

83. Where, in cases falling under clause (a) of rule 80, the old or the new post is situated at a station mentioned in column 1 of the following table, the amount of joining time admissible for that portion of the journey which lies between that station and the place named against it in column 2 of the table is either (a) the actual time spent on the journey between the two places, or (b) the period shown for such journey in column 3 of the table whichever is less :

1	2	3
Journey between.		Period.
Rangamati ..	} Boundary of Chittagong district.	2 days.
Ramghar ..		1 day.
Mahalchhari ..		4 days.
Dighinala ..		6 days.
Khagrachhari ..		5 days.
Bandarban ..		1 day.
Ruma ..		3 days.
Lama ..		1 day.
Nakhingchhari ..		1 day.

1	2	3
Journey between.		Period.
Kasalong ..	} Boundary of Chittagong district }	3 days.
Manikchhari ..		1 day.
Mainimukh ..		5 days.
Barkal ..		3 days.
Langadu ..		4 days.
Noraichhari ..		8 days.
Kaptai ..		1 day.
Alikadam ..		2 days.
Madhu ..		9 days.
Tinkonia ..		2 days.
Panchhari ..		6 days.
Tambra ..		1 day.
Naidang ..		3 days.

84. A Government servant posted at any Station mentioned in column 1 of the table in rule 83 shall, when proceeding on or returning from leave, be entitled under clause (d) of rule 80 to the joining time prescribed in rule 83 in respect of that portion of the journey mentioned therein, in addition to any joining time to which he may be entitled under clause (b) or (c) of rule 80 in respect of the remaining portion of his journey :

Provided that the joining time admissible under clause (d) of rule 80 shall commence on the date following either the handing over of charge of his post or his arrival at the place shown in column 2 of the table in rule 83 against the station in column 1 of that table to which he is posted, according as he is proceeding on or returning from leave.

85. By whatever route a Government servant actually travels, his joining time shall, unless the Head of his Department for special reasons orders otherwise, be calculated with reference to the route which travellers commonly use.

86. If a Government servant is authorised under rule 28 to make over charge of his post elsewhere than at its head-quarters, his joining time shall be calculated from the place at which he makes over charge.

87. If a Government servant is appointed to a new post while in transit from one post to another, his joining time in respect of the later appointment begins on the day following that on which he receives the order of appointment and shall not contain any period for preparation.

88. If a Government servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post shall be included in his leave, unless the leave is taken on medical certificate. In the later case the period may be treated as joining time.

89. The joining time admissible to a Government servant under clause (b) of rule 80 shall be calculated from his old station or from the place at which he received his order of appointment, whichever place entitles him to the less joining time. Joining time admissible under sub-clause (ii) of the said clause will run from the date on which the Government servant receives his order of appointment and not from the expiry of his leave.

Note—If a Government servant on leave out of Pakistan receives his order of appointment prior to his arrival in Pakistan, the port of debarkation shall be deemed to be "the place at which he received his order of appointment" for the purpose of this rule.

90. A Government servant on transfer during a vacation may be permitted to join at the end of the vacation, although the joining time ordinarily admissible is thereby exceeded.

Note—The conditions under which holidays may be affixed to joining time are set out in rule 153 to 155.

91. (1) Subject to the maximum prescribed in rule 81, a Head of a Department or, in respect of non-gazetted Government servants under him, a Deputy Inspector-General of Police may, or such conditions as he thinks fit to impose, grant to a Government servant a longer period of joining time than is admissible under these rules in the following circumstances :

- (a) When the Government servant has been unable to use the ordinary mode or travelling or notwithstanding due diligence on his part, has spent more time on the journey than is allowed by these rules; or
- (b) When such extension is considered necessary for the public convenience, or for the saving of such public expenditure as is caused by unnecessary or purely formal transfers; or
- (c) Where these rules, in any particular case operate harshly.

Note—Examples of cases which may appropriately be dealt with under clause (c) are where a Government servant has fallen ill on his journey, or when he has, through no fault on his part, missed a steamer.

(2) Subject to the conditions laid down in sub-rule (1) the High Court may grant extension of joining time to the members of the East Pakistan Civil Service (Judicial).

92. When a Government servant is transferred to the control of another Government in Pakistan, his joining time for the journey to join his post under that Government and for the return journey will be governed by the rules of that Government.

93. A Government servant shall be entitled to be paid while on joining time—

- (a) under clause (a) of rule 80, the pay which he would have drawn had he not been transferred or the pay which he will draw on taking charge of his new post, whichever is less :

Provided that in cases to which rule 83 applies, he shall draw during the whole of his joining time the pay of his post in the remote station.

(b) under clause (b) or (c) of rule 80—

(i) when returning from extraordinary leave, other than extraordinary leave not exceeding 14 days granted in continuation of other leave, nothing;

(ii) when returning from leave of any other description, the leave salary which he last drew on leave at the rate prescribed for the payment of leave salary in Pakistan;

(c) under clause (d) of rule 80, pay as though he were on duty in his post.

Note 1—A member of a clerical staff on transfer is not entitled to be paid while on joining time unless his transfer is made in the public interest.

Note 2—No extra pay (where the transfer involves the grant of extra pay) can be drawn in any case by relieving Government servant until the transfer is complete, but as far as ordinary pay and allowances are concerned an exception may be made to the general rule when the relieving officer is treated to be on duty in the circumstances stated in rule 5(17)(k). In such cases the relieving Government servant will draw—

(i) if he is transferred from a post which he holds substantively, his presumptive pay in that post;

(ii) if he is transferred from a post which he has held in an officiating capacity, the officiating pay admissible in that post provided it is not more than the pay he would draw after the transfer is complete; otherwise, his presumptive pay in the permanent post on which he had a lien prior to transfer;

(iii) if he returns from leave, his presumptive pay in the post on which he retained a lien during the leave.

94. A Government servant who does not join his post within his joining time is not entitled to any pay or leave salary for the period between the expiry of his joining time and his taking over charge of his post.

95. A Government servant having no substantive appointment under Government is not entitled to any pay or leave-salary during joining time, but if while officiating in a post, he is transferred in the public interest to another post, the authority ordering the transfer may allow him to draw pay during his transit under clause (a) of rule 93.

96. When the services of a person in employment other than Government service are required for a temporary purpose, such person is not ordinarily entitled either to joining time or to pay until he actually takes up his appointment under Government, provided, however, that the appointment of such person is made in the public interest and that Government are satisfied that he will lose the emoluments of his private employment during the period required either to join his appointment under Government or to return therefrom to his private employment, he may be allowed for such periods such joining time, not exceeding the amount admissible to a Government servant under clause (a) of rule 80, as Government think fit, and during such joining time he may be granted pay at such rate as Government may determine, not exceeding his pay while in Government employ or the emoluments (pay or leave salary as the case may be) which he last drew in his private employment, whichever is less.

CHAPTER X

Foreign Service

97. No Government servant requiring a Government servant to serve in or under a public statutory corporation or to serve abroad, no Government servant may be deputed to foreign service against his will; and all transfer to foreign service, will require the previous sanction of Government or the authorities to who the powers in this respect have been delegated by Government.

Note—The following orders shall govern the amount of remuneration which may be sanctioned, for a Government servant transferred to foreign service in Pakistan :

- (1) When the transfer of a Government servant to foreign service in Pakistan is sanctioned, the period for which he is so transferred, the post which he shall hold in foreign service and the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration or enjoy any concession of pecuniary value, in addition to his pay proper, the exact nature of such remuneration or concession must be similarly specified. No Government servant will be permitted to receive any remuneration or enjoy any concession which is not so specified; and if the order is silent to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.
- (2) Save as hereinafter provided, a Government servant transferred to foreign service in Pakistan shall be allowed the same remuneration as he would have received, from time to time, in Government service, but for his transfer.
- (3) If the duties of a Government servant in foreign service involve a decided increase in work or responsibility in comparison with the duties of his post in Government service, he may be granted a suitable increase in pay, with the prior concurrence of the Government or the authority having power to sanction the transfer of a Government servant to foreign service.
- (4) If, by reason of his transfer to foreign service, a Government servant loses any privilege or concession of pecuniary value which he would have enjoyed in Government service or is constrained to incur extra expenditure due to the nature of his duties in foreign service or to the circumstances in which those duties are performed, he may be allowed a compensatory allowance or other suitable concession with the prior concurrence of the competent authority.

98. Except where a Government servant is required to serve in or under a public statutory corporation or to serve abroad, a transfer to foreign service is not permissible unless—

- (a) the duties to be performed after the transfer are such as should, for public reason, be rendered by a Government servant; and
- (b) the Government servant transferred holds, at the time of transfer, a post, either permanent or temporary, paid from general revenues, or holds a lien on a permanent post, or would hold a lien on such a post had his lien not been suspended.

99. If a Government servant is transferred to foreign service while on leave he ceases, from the date of such transfer, to be on leave and to draw leave-salary.

100. (1) A Government servant transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer, and may be given such substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. In giving promotion, such authority shall take into account.—

- (a) the nature of the work performed in foreign service, and

(b) the promotion given to juniors in the cadre in which the question of promotion arises.

(2) Nothing in this rule shall prevent a member of a subordinate service from receiving such other promotion in Government service as the authority, who would have been competent to grant the promotion had he remained in Government service, may decide.

101. A. Government servant is foreign service shall draw pay and allowance^o from the foreign employer from the date on which he relinquishes charge of his post in Government service. Subject to the provisions of rule 97, the amount of his pay and allowances, the amount of joining time admissible to him and his pay and allowances, the amount of joining time admissible to him and his pay and allowances during such joining time will be fixed by competent authority.

Note—When any Government servant, lent on foreign service conditions, retires from Government service without at the same time retiring from the service of his foreign employer, the foreign employer should be supplied with a statement showing the date of retirement and the amount of pension drawn, or to be drawn, from Government so as to give the foreign employer an opportunity, if he be so inclined, of revising the existing terms of employment.

102. (1) In all cases of transfer to foreign service in Pakistan, the foreign employer should be required—

(a) to pay contributions towards the leave salary and pension of the Government servant according to the rates as specified in rule 104;

(b) to pay the Government servant his pay for the joining time granted to him on transfer to and reversion from foreign service at the rates prescribed in rule 93;

(c) to pay travelling allowance to the Government servant for journeys, if any, performed by him on transfer to, and reversion from, foreign service and for journeys performed on duty while in foreign service, according to the ordinary T.A. Rules of the Government;

(d) to provide medical facilities to the Government servant while in foreign service similar to those which he would have enjoyed in Government Service but for his transfer; and

(e) to contribute toward^o the cost of leave passages throughout the period of the Government servants, foreign service, whether he be on leave or not, or pay passage benefits for the period of foreign service, in respect of the Government servants who are eligible for leave passages under the rules in Section II of Chapter XIV.

(2) In addition to the leave salary contribution provided for in sub-rule (1) (a) above, the foreign employer shall bear the whole expenditure in respect of any compensatory allowance for periods of leave granted to the Government servant in or at the end of foreign service.

(3) The foreign employer shall be liable for leave salary in respect of disability leave granted to the Government servant on account of a disability incurred in and through foreign service, even though such disability manifests itself after the termination of foreign service.

(4) By special arrangement made under sub-rule (2) of rule 110 contributions on account of leave salary may be required in the case of foreign service out of Pakistan also, the contributions being paid by the foreign employer.

Note—Pensions, throughout this chapter, include Government contributions, if any, payable o a Government servant's credit in a provident fund.

(5) All cases of transfer to foreign service in which it is proposed to sanction pay and allowances in foreign service in excess of those which the Government servant would draw from time to time if he were in Government service, or in which it is proposed to give any other concession of pecuniary value excepting those specified in Rule 102 should be referred to Government or to the Committee constituted for the purpose for concurrence before the terms and conditions of transfer to foreign service is sanctioned.

103. A copy of the orders sanctioning a Government servant's transfer to foreign service must always be communicated to the Account Officer. The Government servant himself should, without delay—

- (i) communicate a copy to the officer who audits his pay, and take his instructions as to the officer to whom he is to account for the contribution,
- (ii) report to the latter officer the time and date of all transfers of charge to which he is a party when proceeding on, while in, and on return from, foreign service, and
- (iii) furnish from time to time particulars regarding his pay in foreign service, leave taken by him, his postal address and any other information which that officer may require.

104. (1) The rates of contribution prescribed in sub-rule (2) are designed to secure to the Government servant on foreign service the pension that he would have earned by service under Government, and leave salary and passages on the scale and under the conditions applicable to him.

(2) The rates of monthly contributions payable during the foreign service, including the periods of any joining time taken while proceeding to or returning from foreign service, shall be as follows:—

(a) In the case of Government servants in superior service—

(i) For pension, in accordance with the following table:—

Rates of contribution in respect of—				
Length of service.	Members of the Higher Provincial Services with Non-Asiatic domicile.	Members of (1)		
		Higher Provincial Services with Asiatic domicile, and (2) East Pakistan General Service with maximum pay above Rs. 850.	Members of the (1) Lower Provincial Services, and (2) East Pakistan General Service with maximum pay of Rs. 850 and below.	Members of Subordinate Services.
1	2	3	4	5
Years. 0-1	£. s. 6 9	Rs. 63	5% of the maximum monthly pay of the grade held in temporary, officiating or substantive capacity.	4% of the maximum monthly pay of the grade held in temporary, officiating or substantive capacity.

Rates of contribution in respect of—

Length of service.	Members of the Higher Provincial Services with Non-Asiatic domicile.		Members of (1) Higher Provincial Services with Asiatic domicile, and (2) East Pakistan Geeral Service with maximum pay above Rs. 850.	Members of the (1) Lower Provincial Services, and (2) East Pakistan Genral Service with maximum pay of Rs. 850 and below.	Members of Subordinate Services.
	1	2	3	4		5
Years. 1-2	£. 7	s. 5	Rs. 70	5% of the maximum monthly held in temporary, officiating or substantive capacity.	4% of the maximum monthly held in temporary, officiating or substantive capacity.
2-3	8	2	78	5% ditto.	5% ditto.
3-4	8	18	86	6% ditto.	5% ditto.
4-5	9	14	94	6% ditto.	5% ditto.
5-6	10	10	102	7% ditto.	6% ditto.
6-7	11	6	110	7% ditto.	6% ditto.
7-8	12	2	117	8% ditto.	7% ditto.
8-9	12	19	125	8% ditto.	7% ditto.
9-10	13	15	133	9% ditto.	7% ditto.
10-11	14	11	141	9% ditto.	8% ditto.
11-12	15	7	149	10% ditto.	8% ditto.
12-13	16	3	157	10% ditto.	9% ditto.
13-14	16	19	164	10% ditto.	9% ditto.
14-15	17	16	172	11% ditto.	9% ditto.
15-16	18	12	180	11% ditto.	10% ditto.
16-17	19	8	188	12% ditto.	10% ditto.
17-18	20	4	196	12% ditto.	10% ditto.
18-19	21	0	204	13% ditto.	11% ditto.
19-20	21	16	211	13% ditto.	11% ditto.
20-21	22	13	219	14% ditto.	12% ditto.
21-22	23	9	227	14% ditto.	12% ditto.
22-23	24	5	235	15% ditto.	12% ditto.
23-24	25	1	243	15% ditto.	13% ditto.
24-25	25	17	251	15% ditto.	13% ditto.
25-26	26	13	258	16% ditto.	14% ditto.
26-27	27	9	266	16% ditto.	14% ditto.
27-28	28	6	274	17% ditto.	14% ditto.
28-29	29	2	282	17% ditto.	15% ditto.
Over 29	29	18	290	18% ditto.	15% ditto.

(ii) For leave-salary in accordance with the following table:—

	Percentage of pay drawn in foreign service.
Members of Higher Provincial services, subject to the special leave rules	16½
Members of Higher Provincial Services and East Pakistan General Service with maximum pay of above Rs. 850, subject to ordinary leave rules.	15
Members of Lower Provincial Services, East Pakistan General Service with maximum pay of Rs. 850 and below and Subordinate Services, subject to ordinary leave rules	12½
All Government servants (excluding members of the Lower Subordinate Services), subject to the Revised Leave Rules in Section II of Chapter XV	11

(iii) In the cases of a Government servant eligible for the grant of leave passages under section II of Chapter XI for such passages, Rs. 40 or Rs. 30 according as he is a member of a service or holding a post mentioned in Schedule I of II respectively to that section.

(b) In the case of Government servants in the Lower Subordinate Service for pension only, 6½ per centum of the pay drawn in foreign service.

Note—(1) The expression "length of service" in this rule means the total period running from the date from which service for pension commences or is likely to commence, including service counting for pension under rules 266 and 267.

Note—(2) The leave salary contribution for the period of joining time taken by a Government servant in continuation of leave under clause (b) of rule 80 before reversion from foreign service, should be calculated on the pay he was getting immediately before he proceeded on leave.

Note—(3) Rates of leave and pension contribution in respect of service and posts under the rule-making control of the Government of Pakistan, are given in the rules published by them.

105. Contribution may be remitted under orders of Government for any period for which a Government servant in foreign service is temporarily employed under Government on duties additional to or distinct from his duties in foreign service.

106. If a Contribution for leave or pension, which is due from the foreign employer is not paid within 15 days from the end of the month in which the pay on which it is based has been drawn by the Government Servant concerned, the employer must pay to Government unless he should be exempted by Government, interest on the unpaid contribution, at the rate of 2 paise a day per Rs. 100 upon the amount due, from the date of expiry of the period of 15 days up to the date on which the contribution is finally paid.

Contribution paid to Government servant on account of leave salary and pension shall in no circumstances be refunded.

107, [Omitted]

108. A Government servant transferred to foreign service may not without the sanction of Government accept a pensioner gratuity from his foreign employer in respect of such service.

109. A Government servant in foreign service in Pakistan may not be granted leave otherwise than in accordance with the rules or conditions as the case may be applicable to him as a Government servant, and may not take leave or receive leave salary from Government unless he actually quits duty and goes on leave.

Note—A Government servant in foreign service in Pakistan is personally responsible for the observance of the rule regarding taking of leave and receiving leave-salary as contained in this rule. If he accepts leave to which he is not entitled under this rule, he renders himself liable to refund leave salary irregularly drawn, and in the event of his refusing to refund, to forfeit his previous service under Government and to cease to have any claim on Government in respect of either pension or leave salary.

110. (1) A Government servant in foreign service out of Pakistan may be granted leave by his employer on such conditions as the employer may determine. In any individual case, Government may determine beforehand in consultation with the employer, the conditions on which leave will be granted by the employer. The leave salary in respect of leave granted by the employer will be paid by the employer and the leave will not be debited against the Government servant's leave account.

(2) In special circumstances, Government may make an arrangement with the foreign employer, under which leave may be granted to the Government servant in accordance with the rules applicable to him as a Government servant, if the foreign employer pays to general revenue leave contribution at the rates prescribed under rule 104.

111. A Government servant in foreign service, if appointed to officiate in a post in Government service, will draw pay calculated on the pay of the post in Government service, on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

112. A Government servant reverts from foreign service to Government service on the date on which he takes charge of his post in Government service, provided that, if he takes leave on the conclusion of foreign service before joining his post, his reversion shall take effect from such date as Government may decide.

113. If a Government servant proceeds on leave from his foreign service appointment, he shall not ordinarily be considered to have reverted to Government service until he rejoins his post under Government.

114. When a Government servant proceeds on leave from his foreign service to Government service, his pay will cease to be paid by the foreign employer, and his contributions will be discontinued, with effect from the date of reversion.

115. [Omitted]

116. When an addition is made to a regular establishment on the condition that its cost, or a definite portion of its cost, shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rule:—

- (a) The amount to be recovered shall be the gross sanctioned cost of the service, or of the portion of the service, as the case may be and shall not vary with the actual expenditure of any month.
- (b) The cost of the service shall include contributions at the rates laid down in rule 104 and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.
- (c) Government may reduce the amount of recoveries or may entirely forego them.

Note—(1) No contribution on account of leave salary and pension shall be recovered in the case of Sub-Assistant Surgeons tent to local bodies.

Note—(2) Amount to be recovered as pension contribution in the case of Members of the Higher Provincial Services and of the East Pakistan General Service with maximum pay above Rs.850 should be the average of the rates prescribed in columns 2 and 3 of the table appended to rule 104(2)(a)(i) and in the case of Members of Lower Provincial Services, the East Pakistan General Service with maximum pay of Rs.850 and below and of the subordinate services a fraction of the total maximum monthly pay of all the sanctioned posts equal to the average of the percentage laid down in columns 4 and 5 as the case may be.

As regards contribution for leave salary, recoveries should be made by levying in the case of Members of the Higher Provincial Services, subject to the special and ordinary leave rules, the average percentage rate and in the case of Members of the East Pakistan General Service, Lower Provincial Services and Subordinate Services the actual percentage prescribed in rule 104(2)(a)(i) on the total sanctioned cost, or in the case of time scale of pay on the average cost of all the posts concerned.

CHAPTER XIII

SERVICE UNDER LOCAL FUNDS

117. Government servants paid from local funds which are administered by Government are subject to the provisions of Chapters I to XI and XIV to XVI of these rules.

Note 1—Employees of local funds administered by Government who are not paid from general revenues and are, therefore, not Government servants are subject to the above mentioned provisions.

Note 2—The expression “local funds which are administered by Government” means funds administered by bodies which by law or rule having the force of law come under the control of Government in regard to proceedings generally and not merely in regard to specific matters, such as the sanctioning of the budget or sanction to the creation or filling up of particular posts of the enactment of leave, pension or similar rules; in other words, it means funds over whose expenditure Government retains complete and direct control.

118. A person transferred to Government service from a local fund not administered by Government shall be treated as joining a first post under Government and his service under the local fund will not count as duty unless Government by special order and to such extent as they think fit to prescribe direct otherwise.

CHAPTER XIV

Passages to and from Pakistan

SECTION I

General

119. Without prejudice to the power of Government to grant special relief in necessitous cases to enable Government servants or their dependents to travel to or from Pakistan, the grant of free passages is governed by the following rules.

120. A free passage under these rules shall be such class and subject to such conditions as Government may by general or special order prescribe, and shall ordinarily be a passage by sea to or from a port in Pakistan.

121. A free passage will ordinarily be granted to a Government servant who is appointed outside Pakistan to service in East Pakistan, for the purpose of enabling him to join his appointment in the first instance.

122. Free passages will ordinarily be granted for the journeys to and from Pakistan to Government servants deputed out of Pakistan, in accordance with the rules in force for the time being:

Provided that the grant of return passage is conditional upon the Government servant's return to duty in Pakistan forthwith on the conclusion of his deputations, unless arrangements to the contrary are sanctioned by Government before the deputation ends.

Note—The rules regulating grant of travelling allowance for journeys in Europe to Government servants placed on deputation are contained in Appendix No. 16 to Part II.

123. A free passage to the country of his domicile (or to any other country outside Pakistan, at a cost not exceeding the cost of such a passage) may be granted to a Government servant of non-Asiatic domicile on the termination of his service:

Provided that the grant of free passages under this rule will ordinarily be confined to the cases of Government servants appointed on contract who are given title to such passages by the terms of their contracts.

124. (1) A Government servant who has been granted special disability leave under rule 192, and whose domicile is elsewhere than in Asia, may be granted by Government free passages by sea for himself, his wife and children, to the United Kingdom, or to any port in Europe or in a British Colony dominion, or possession, and on the conclusion of such leave, return passages to Pakistan:

Provided that—

- (i) if he takes leave other than leave on medical certificate in continuation of special disability leave, special sanction of Government shall be required for the grant of return passages; and
- (ii) the cost of any passages granted under this rule shall not exceed the cost of passages between Pakistan and the United Kingdom.

(2) Passages granted under this rule may include travel by land between port of embarkation and port of debarkation, and shall be of such class as Government in each case may determine.

(3) Government may extend the application of the provisions of sub-rules (1) and (2) to a Government servant who has been granted special disability leave under rule 193, and whose domicile is elsewhere than in Asia, provided that the grant of free passages may be restricted to the Government servant only, or to the Government servant and his wife only.

(4) For the purpose of this rule, "Child" means a legitimate child (including a step-child) residing with and wholly dependent on the Government servant, who if a female, is unmarried, or, if a male, is under the age of 16.

125. Notwithstanding anything contained in this chapter, if a Government servant to whom section II of this chapter applies dies while in service, his wife and children shall be entitled to the actual cost of their passage by sea from a port in Pakistan to a port in the country of their domicile, but not exceeding in each case the cost of a single passage between Chittagong and London by the all sea route.

SECTION II

Leave Passages.

126. The rules in this section apply to any Government servant who belongs to a service, or holds substantively a permanent post, specified in Schedule I or Schedule II to this section and who at the date of his appointment to service or post has his domicile elsewhere than in Asia:

Provided that they shall not apply to a Government servant who received on appointment a free passage to Pakistan unless he elects in writing to forego any remaining benefits in the matter of free passages for himself or his family to which he may be entitled under any other rules or orders or any agreement.

127. For the purposes of rule 125 and of the rules in this section—

- (1) "child" means a legitimate child who, if a female, is unmarried and under the age of 21, or if a male, is under the age of 12, and includes a step-child residing with and wholly dependent upon Government servant;
- (2) the word "passage" shall mean a cabin class passage by the all-sea route, the cost of which should be subject to any maximum prescribed for a particular class of officers for the single or return journey as the case may be; and
- (3) the "cost" of a passage shall be deemed to be the cost as stated from time to time in the tables of passage rates published by the various steamship companies.

128. (1) A separate account shall be opened in sterling by the Accountant General, East Pakistan, in the case of each Government servant, and if he is married, for his wife and if he has children, for each child. These accounts shall be credited respectively with the cost of the passages to which the Government servant, his wife and children are entitled under rule 129, and no transfer of any credit shall be made from one account to another. Within the amount of these credits the Government servant shall be entitled to receive passages by sea between a port in Pakistan and a port outside Asia for himself, his wife and his children, respectively, provided as follows:

- (a) The cost of a single or return passage by sea shall not in any case exceed the cost of a single or return passage, as the case may be between Chittagong and London by the all-sea route.
- (b) If the cost of any passage engaged is less than the cost of a passage between Chittagong and London by the all-sea route, and the individual concerned performs any part of the journey between port and port by land, it shall be permissible for such individual to draw the actual cost of the railway fare, but not exceeding the difference between the cost of the passage engaged and the cost of a passage between Chittagong and London by the all-sea route.

(2) Any benefits for himself and for his wife to which a Government servant is entitled under rule 129 shall be in abeyance for any period of foreign service in respect of which it has been agreed between Government and the foreign employer that the Government servant shall receive passage benefits from the foreign employer, and the sums credited to the accounts of the Government servant and his wife shall be reduced by one-seventh of the cost of a return passage for each completed year of such period.

(3) (a) Payment for all-sea passages shall be made by the Account-General East Pakistan, to the steamship companies either direct or through recognized firms of passenger agents.

(b) Payment on account of journeys by land shall be made by the Accountant-General, East Pakistan, either to the Government servant making the claim or to the steamship company or a recognised firm of passenger agents.

(4) The accounts mentioned in sub-rule (1) shall be debited with the cost of the passages actually subject to the limit prescribed in that sub-rule, and with the sums actually drawn on account of railway journeys mentioned therein.

(5) When the cost of a passage by sea between Chittagong and London is increased or decreased the balance at the credit of each account referred to in sub-rule (1) shall be increased or decreased, as the case may be, in proportion to the increase or decrease in the cost of passages.

Note—For the purposes of the proviso (b) to sub-rule (1) of this rule, a journey by land may be deemed to include a passage across the English Channel, and railway fare may be deemed to include the cost of such a passage.

129. (1) The maximum benefits to which Government servant appointed before attaining the age of 26 years shall be entitled under these rules shall

be passages of a total value equal to the cost of the number of passages by sea between Chittagong and London as follows:—

(a) In the case of Government servants appointed on or after the 9th March 1926—

(i) for himself—four return passages;

(ii) for his wife—the number of return passages shown in the following scale:—

Government servant's total length of service at date of marriage.	Number of return passages.
Less than 7 years	4
7 years but less than 14 years	3
14 years but less than 21 years	2
21 years and over	1

(ii) for each child—one single adult passage.

(b) In the cases of Government servants appointed before the 9th March 1926—

(i) for himself—the number of return passages shown in the following scale:—

Government servant's total length of service on the 9th March 1926.	Number of return passages.
Less than 7 years	4
7 years but less than 14 years	3
14 years but less than 21 years	2
21 years and over	1

(ii) for his wife—the same number of return passages to which he himself is entitled:

Provided that in the case of a Government servant who was first married on or after the 9th March, 1926, the scale of benefits or his wife shall be that prescribed in sub-clause (ii) of clause (a); and

(iii) for each child—one single adult passage.

(2) The maximum benefits to which Government servants appointed after attaining the age of 26 years shall be entitled, shall be passages of a total

value equal to the cost of the number of passages by the all-sea route between Cnittagong and London as follows:—

(a) In the case of Government servants appointed on or after the 9th March, 1926—

(i) for himself—the number of return passages shown in the following scale:—

Government servants age at date of appointment.	Number of return passages.
Under 31 years	4
31 years or over but under 38 years	3
38 years or over but under 45 years	2
45 years or over	1

(ii) for his wife—the same number of return passages to which he himself is entitled:

Provided that in the case of a Government servant who was first married after the date of his appointment the scale of benefits for his wife shall be as follows:—

Government servant's age at date of marriage.	Number of return passages.
Under 31 years	4
31 years or over but under 38 years	3
38 years or over but under 45 years	2
45 years or over	1

(iii) for each child—one single adult passage.

(b) In the case of Government servants appointed before the 9th March 1926—

(i) for himself—the number of return passages shown in the following scale:—

Government servant's age on the 9th March, 1926.	Number of return passages.
Under 31 years	4
31 years or over but under 38 years	3
38 years or over but under 45 years	2
45 years or over	1

- (ii) for his wife—the same number of return passages to which he himself is entitled:

Provided that in the case of a Government servant who was first married on or after the 9th March 1926, the scale of benefits for his wife shall be that prescribed in the proviso to sub-clause (ii) (a), and

- (iii) for each child—one single adult passage.

(3) A Government servant shall be entitled for a second or subsequent wife to either the passage benefits set out in the appropriate table in sub-rule (1) or sub-rule (2), as the case may be, or any passage benefits which were available to him, but were not utilised for the wife of the immediately prior marriage, whichever are less.

130. A Government servant, his wife and any of his children shall, within the amounts under sub-rule (1) of rule 128 read with rule 129, be entitled to receive passages by air between a place in Pakistan and a place outside Asia, and the said accounts shall be debited with the cost of such passages actually engaged up to the limit in each case prescribed for passages by sea in clause (a) of sub-rule (1) of rule 128 payment of Account of passages by air shall be made by the Accountant-General, East Pakistan, to the air-transport companies either direct or through their recognized agents.

131. A Government servant is entitled to the benefits provided by these rules in respect of any journey to or from Pakistan performed by himself or his wife, or any of his children, which commences on or after the 9th March 1926 and before the date of his retirement, provided that—

(a) he, his wife and any of his children shall be entitled to receive, so far as their respective credits permit, single passages from a port in Pakistan to a port outside Asia, but not exceeding the cost of a single passage between Chittagong and London by the all-sea route, for a journey commenced within six months after the officer's retirement; and

(b) should the cost of any passage engaged be less than the cost of a passage between Chittagong and London by the all-sea route, and the individual concerned perform any part of the journey between port and port by land, it shall be permissible to draw the actual cost of the railway fare, but not exceeding the difference between the cost of the passage engaged and the cost of a passage between Chittagong and London by the all-sea route.

Note—For the purpose of the proviso (b) to this rule a journey by land may be deemed to include a passage across the English Channel, and railway fare may be deemed to include the cost of such a passage.

132. A Government servant, who at the time of proceeding on leave declares his intention of retiring from service, is entitled to draw on the passage accounts for single passages only. If however, no such declaration is made but he draws on the passage accounts for return passages whether for himself or for his wife or for his children and retires on the termination of leave, he should return the unused half of the return ticket or tickets which have not been utilised, to the Accountant-General, East Pakistan, who will watch for

the return of the unused halves the return tickets, and obtain from the Steamship Company concerned a refund in respect of the return passage or passages. If, however, the return halves are actually utilised, the Accountant-General, East Pakistan, should realise from the Government servant concerned the cost thereof. In cases in which a Government servant who does not return to duty actually uses the return ticket or tickets for the journey back to Pakistan the cost of the same will be recovered from him unless Government are satisfied that he was prevented, by circumstances beyond his control, from returning to duty.

Note—When Government servant takes a return passage for a member of his family; the return half of which is not utilised, he should return the unused half to the Accountant-General, East Pakistan, who will obtain a refund from the Steamship Company concerned.

Note—No refund will be made by a Steamship Company except to the Accountant-General, East Pakistan, who will make the necessary adjustment of the amount between the Government servant and the Government if the cost of the passage involved or any portion thereof has been borne by the Government servant.

133. If a Government servant has himself, or on behalf of his wife or children, incurred expenditure between the date with effect from which he is entitled to the benefit of the passage concessions and the date of issue of orders sanctioning such benefits in respect of a benefit to which he is or they are entitled under these rules, he may claim a refund of such expenditure subject to the maximum as defined in these rules. In the case of a journey performed on a return ticket, the first half of which was utilised for a journey commenced before the date with effect from which the benefits of passage concessions are admissible, the expenditure incurred shall be deemed to be half the cost of such return ticket.

134. No Government servant shall have any claim on the monies in his passage account beyond the provision of the passage benefits, if any, conferred on him by these rules, and balance remaining at his credit after he has ceased to be eligible for any such benefits shall lapse.

SCHEDULE I

[See rules 126 and 127 (2)].

1. Chief Inspector and Inspectors of Factories
2. Chief Inspector and Inspectors of Boilers.
3. Electrical Adviser and Chief Electric Inspector, East Bengal.
4. Electric Inspector, East Bengal.
5. Wholetime Superintendents of the Central Jails.
6. Inspector of Septic Tank Installation, East Bengal.
7. Engineer-Superintendents, Government Dockyard, Narayanganj.
8. East Pakistan Senior Service of Engineers.
9. Superintendent, East Pakistan Government Press.

SCHEDULE II

[See rules 126 and 127 (2).]

1. Press and Forms Manager.
2. Deputy Superintendents, Dacca Central Jail.
3. Deputy Superintendents, Government Printing.
4. Instructor in Mechanical Engineering, Drawing, Dacca Engineering College.
5. Head Master, Armanitolla Government High School, Dacca.

SECTION III.

Advances for passages.

135. The rules in this section apply only to gazetted Government servants of non-Asiatic domicile in permanent employ:

Provided that, in the case of Government servants who are entitled to free passages under the rules in section II of this chapter, an advance under the rules in this section will be admissible only when they have exhausted the benefits under section II.

Note—Passage advances may be granted to Government servants referred to in this rule while they are in foreign service. In such cases, the Government servants concerned should be held personally responsible for monthly repayments of the advances drawn.

136. In this section "family" means a Government servant's wife, legitimate children and step-children residing with and wholly dependent upon him.

137. An advance may be made to a Government servant for the cost or passage by sea from a port in Pakistan to a port outside Asia or by air between a place in Pakistan and a place outside Asia of himself and members of his family and also for the cost of the return journey. The advance for members of the family will be admissible even though they do not accompany the Government servant on the journey, but make the journey in another vessel or plane.

138. The amount of each advance shall not exceed four month's pay of the Government servant or Rs. 6,000 whichever is less, subject to the further condition that it shall not exceed the amount actually required at the time for the purpose for which it is granted. It should be a sum expressed in whole rupees, being a multiple of thirty-six.

139. When an advance has previously been sanctioned the amount of a further advance should be so regulated that the total amount outstanding will not exceed the limits mentioned in rule 138. For the purpose of recoveries each advance shall be treated separately.

140. An advance will not be admissible to a Government servant who does not intend returning to civil duty on the expiry of the leave and the Government servant shall submit with his application for the advance a certificate that

he intends to return to civil duty on the expiry of the leave. The applicant should at the same time state whether he has taken, or intends applying for, an advance for the same purpose under rules regulating the General Provident Fund or any other provident fund.

141. (1) Advances will be recovered in thirty-six equal monthly instalments by compulsory deductions from pay, commencing from the first payment of a full month's pay after the advances is granted. Except as provided in sub-rule (3) no recovery will be made from a Government servant while he is on leave. A borrower may, however, make repayment in less than thirty-six instalments, provided that each instalment is a sum expressed in whole rupees, or may repay two or more instalments at the same time.

(2) An advance granted under the proviso to rule 135 will bear interest at such rate as may be prescribed by Government from time to time and such interest will be recovered in further instalments equal to those determined under sub-rule (1).

(3) If the Government servant retires, or applies for and receives permission to retire on the expiry of his leave, the outstanding balance of the advance will be recoverable at once, but where undue hardship is likely to result from compelling payment in one instalment, Government or the High Commissioner for Pakistan may permit a relaxation of this rule to the extent of allowing monthly recoveries to be made from the pension or leave salary admissible to the Government servant at a rate not less than half the monthly amount of such pension or leave salary. In applying this rule, consideration should be given to the amount which will be handed over to a provident fund subscriber on his retirement.

(4) The borrower will submit to the Accountant-General, East Pakistan, or, if the advances is paid in England, to the High Commissioner for Pakistan, within three weeks of the receipt of the advance, receipts showing the amount of payments, made for passages. Where, however, the money for passages has to be remitted from Pakistan to England (or vice-versa), the time for submission may be extended by two months. In the event of failure to comply with this rule the amount advanced shall be recoverable at once. If the receipts produced are for an amount less than that advanced the balance shall be recoverable at once.

Note—The recovery of an advance shall ordinarily commence when the first payment of a full month's pay is made to the Government servant on his return from leave. But when a Government servant while himself remaining on duty draws an advance for the members of his family only, recovery shall commence in the month following that in which the advance is drawn.

142. Subject to the conditions of these rules, the High Commissioner may sanction an advance to a Government servant on leave drawing his leave salary in London for the cost of return passages to Pakistan of the Government servant and his family, provided no advance for the same journey has been previously made.

143. A Government servant receiving an advance under these rules, will, on receipt of the advance, sign and deposit with Government an undertaking in the form shown in the Schedule to this section.

THE SCHEDULE

(See Rule 143.)

MEMORANDUM OF AGREEMENT made the..... day of 19..... **BETWEEN**..... of..... (hereinafter called the Borrower) of the one part and the Governor of the Province of East Pakistan (hereinafter called the Lender) of the other part.

WHEREAS the Borrower's (family) is proceeding/returning from/on leave/ on expiry of leave (with his family) and has in accordance with the rules contained in section III of Chapter XIV of the East Pakistan Service Rules, requested the Lender to lend him Rs..... towards defraying the cost of his/their passage(s) to..... (and back to Pakistan) which the Lender has agreed to do on the terms and conditions hereinafter mentioned.

WITNESSETH that in consideration of the said loan (receipt of which the Borrower hereby acknowledges) the Borrower for himself, his heirs, executors and administrators covenants with the Lender to repay the said loan (with interest at such rate as may be prescribed by Government from time to time) by 36 equal monthly instalments the first instalment to be payable on the date of first payment of a full month's pay after the advance is granted, no recoveries being made while the Borrower is on leave, and hereby authorizes the Lender to deduct the amount of such monthly instalments from the pay of the Borrower **PROVIDED ALWAYS** and it is hereby further agreed and declared that in the event of the Borrower dying or retiring or receiving permission to retire from Government service before the whole amount of the said loan is repaid or if he does not produce receipts for the said passage(s) or does not comply with any of the conditions on which the loan is made, as specified in the aforesaid rules, within three weeks from the date hereof the loan is to become immediately due and payable.

In **WITNESS** whereof the Borrower has hereunto set his hand the day and the year first above written.

Signed by the said (Borrower) in the presence of.....

Witness.....

Address.....

Occupation.....

N.B.—In the case of advances on which interest is not chargeable, the clauses of this agreement relating to interest should be scored through.

CHAPTER XV

LEAVE

Section I

GENERAL CONDITION

144. Unless in any case it be otherwise expressly provided in section II, V and VII of this chapter, leave is earned by a Government servant under the rules in this chapter if he holds a lien on a permanent post in civil employ or would hold a lien on such a post had it not been suspended.

145. Leave is earned by duty only. For the purpose of this rule a period spent in foreign service counts as duty if contribution towards leave salary is paid or remitted under proper sanction on account of such period.

146. Unless in any case it be otherwise expressly provided in these rules, a Government servant transferred to a service or post to which the rules in sections I to VI apply from a service or post to which they do not apply is not ordinarily entitled to leave under these rules in respect of duty performed before such transfer; but a Government servant reverting from duty as Judge of a High Court, Chief Judge, Small Causes Court, or the Administrator General and Official Trustee, East Pakistan, may count such duty for leave as though it were duty performed in a vacation department; all leave taken during the service concerned being treated as taken under these rules.

147. (1) If a Government servant, who quits the public service on compensation or invalid pension or gratuity is re-employed, and if his gratuity is thereupon refunded or his pension held wholly in beyance, his past service thereby becoming pensionable on ultimate retirement he may, at the discretion of the authority sanctioning the re-employment and to such extent as that authority may decide count his former service towards leave.

(2) A Government servant who is dismissed or removed from the public service, but is reinstated on appeal or revision, is entitled to count his former service for leave.

148. Special disability leave may be granted only by Government.

149. Leave admissible under these rules may be granted to a gazetted Government servant by Government, or subject to rule 148 and to any further conditions which Government think fit to impose, by an authority empowered in this behalf by Government.

Note—An authorisation to grant leave under this rule or rule 150 includes the power to grant leave in combination with Sundays, holidays and vacations, and subject to any conditions imposed or provision to the contrary in any case, to make the consequent acting arrangements.

Note 2—A list of authorities empowered under this rule is contained in Appendix No. 3.

150. Subject to rule 148, leave admissible under these rules may be granted to a non-gazetted Government servant by the authority competent to fill his post substantively, or subject to such further restrictions as Government think fit to impose, by such other authority specially empowered in this behalf by Government.

Note—A list of authorities empowered under, this rule is contained in Appendix No. 4.

151. Leave cannot be claimed as of right. When the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

Note 1—An authority competent to grant leave may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of a Government servant's return from leave as to cause as little change as possible in administrative arrangements.

Note 2—Leave of any description should not be granted to an extent which would unduly deplete the strength of a service or department available for active duty. Consequently, when the duty strength has been reduced to a point which in the opinion of Government is for the time being an essential minimum no further leave of any description will be given save in case of the most absolute necessity, such as sickness or most urgent private affairs, until strength available for duty has increased. In applying this principle, special consideration may be given to the case of Government servants who applied for leave on average pay in Pakistan, for as they can be readily recalled, if necessary, they stand on a different footing from Government servants who are out of convenient reach.

Note 3—Applications for leave by Government servants likely to revert from higher pay should always be scrutinised with special jealousy, and the leave should be granted only when very cogent reasons are adduced. It is not the intention of Government, however, that leave in ordinary circumstances should be granted more sparingly, the general principle being that a Government servant need not be debarred from taking the leave which he has earned at such times and for such period as may suit the exigencies of the public service.

Note 4—Attention is drawn to *note 1* to rule 55.

152. Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed. When joining time is allowed to a Government servant returning from leave out of Pakistan, the last day of his leave is the day before the arrival of the vessel in which he returns at her moorings or anchorage in the port of disembarkation, or if he returns by air, the day on which the aircraft in which he returns arrives at its first regular port in Pakistan.

Note 1—The joining time of a Government servant who returns from leave out of Pakistan and disembarks, not at the first port of call or regular airport, as the case may be, in Pakistan, but at another such port, should be reckoned from the day of arrival of the vessel or aircraft at the second or subsequent port at which he actually disembarks, whether the journey from the first port of call or regular airport in Pakistan to the subsequent port is made in the same steamer or aircraft which takes him to the first port of call or regular airport or not.

Note 2—The provision in this rule—that when joining time is allowed to a Government servant returning from leave out of Pakistan, the last day of his leave is the day before the arrival of the vessel in which he returns at her moorings or anchorage in the port of disembarkation or if he returns by air, the day on which the aircraft in which he returns arrives at its regular port in Pakistan—applies only to cases falling under rule 80(c) in which joining time is granted to a Government servant returning from leave out of Pakistan of more than four months' duration.

153. When the day immediately preceding the day on which a Government servant's leave begins or immediately following the day on which his leave or joining time expires is a holiday or one of a series of holidays, the Government servant may leave his station at the close of the day before, or return to it on the day following, such holiday or series of holidays:

Provided that—

- (a) his transfer or assumption of charge does not involve the handing over or taking over of securities or of monies other than a permanent advance;

- (b) his early departure does not entail a correspondingly early transfer from another station of a Government servant to perform his duties; and
- (c) the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was performing his duties during his absence, or in the discharge from Government service of a person temporarily appointed to it.

154. On condition that the departing Government servant remains responsible for the monies in his charge, a Head of a Department may declare that proviso (a) to rule 153 is not applicable to any particular case.

155. Unless the Head of the Department in any case otherwise directs—

- (a) if holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowances take effect from the first day after the holidays, and
- (b) if holidays are affixed to leave or joining time, the leave or joining time is treated as having terminated on, and any consequent re-arrangement of pay and allowances takes effect from, the day on which the leave or joining time would have ended if holidays had not been affixed.

156. All orders recalling a Government servant to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If the return is optional, the Government servant is not entitled to the following concession. If it is compulsory, he is entitled—

(a) If the leave from which he is recalled is elsewhere than in Pakistan, India, Burma, Aden, Ceylon or Nepal:

- (i) to receive a free passage to Pakistan; and provided that he has not completed half the period of his leave by the date of leaving for Pakistan on recall, or three months, whichever period is shorter, to receive a refund of the cost of his passage from Pakistan;
- (ii) to count the time spent on the voyage to Pakistan as duty for purpose of calculating leave; and
- (iii) to receive leave-salary during the voyage to Pakistan, and for the period from the date of landing in Pakistan to the date of joining his post to be paid leave salary at the same rate at which he would have drawn it had he not been recalled but returned in the ordinary course on the termination of his leave and for the latter period travelling allowance under rules made in this behalf.

(b) If the leave from which he is recalled is in Pakistan, to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw travelling allowance under rules made in this behalf in Chapter X in Part II for the journey, but to draw until he joins his post leave-salary only.

Note 1—Orders recalling a Government servant from leave out of Pakistan should be communicated to him through the High Commissioner for Pakistan and they should state whether the return to duty is optional or compulsory.

Note 2—The expression “on the termination of his leave” in sub-rule (a)(iii) means on the termination of the period of leave as determined by his recall as opposed to the whole of the leave he was originally granted. The effect of this interpretation will be to make the same leave-salary admissible for the period of transit to Pakistan as would be admissible had the return to duty been voluntary and the period of voyage been leave proper and the period of transit in Pakistan been leave proper or joining time under rule 80, as the case may be.

157. No Government servant in permanent employ who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in the prescribed form. Any Government servant who has been granted leave or extension of leave for reasons of health, even though such leave or extension was not actually granted on medical certificate, may, at the discretion of the authority under which the Government servant will be employed on return from leave, be required to produce a similar certificate of fitness before being permitted to return to duty.

158. (1) Unless he is permitted to do so by the authority which granted his leave, a Government servant on leave may not return to duty more than fourteen days before the expiry of the period of leave granted to him.

Note(1)—A Government servant returning to duty at a time other than that fixed for him by the authority which granted him leave has no claim to resume as a matter of course without further orders, the particular post which he vacated before his leave, and he is liable to be kept on subsistence grant until a suitable vacancy occurs.

(2) A Government servant who remains absent after the end of his leave is entitled to no leave-salary for the period of such absence, and that period will be debited against his leave account as though it were leave on half-average pay unless his leave is extended by the authority which granted the leave. Willful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of rule 24.

159. The authority which granted the leave may sanction retrospectively an extension of leave up to a maximum period of 14 days to a Government servant who overstays his leave, provided that he is satisfied either—

- (a) that the overstay was due to circumstances beyond the Government servant's control and in the case of leave in Europe, North Africa, America or the West Indies, that an application to the High Commissioner for an extension was impossible before embarkation; or
- (b) that the overstay was administratively convenient.

He may also sanction retrospectively an extension up to a similar limit (inclusive of any extension which may have been granted by the High Commissioner) to a Government servant returning from leave on medical certificate, if in his opinion the circumstances seem to require it.

Section II

REVISED LEAVE RULES

160. Unless otherwise expressly provided in these rules the revised leave rules contained in this section shall apply (with retrospective effect where necessary from the commencement of service counting for leave) to the following

classes of persons subject to the rule making control of Government whose domicile is Asiatic or who, if their domicile is non-Asiatic, have not been specially recruited overseas for service in Pakistan:

- (i) All persons who enter or have entered or are or have been re-employed in Government service, whether in a permanent or other capacity, on or after the 22nd July, 1931;
- (ii) Persons who were in Government service whether in a permanent or other capacity on the 21st July, 1931, if there is a break in their service after that date:

Provided that in the case of a Munsif who officiated on or before the 21st July, 1931, any break in service prior to permanent appointment as Munsif shall not constitute a break in his service for the purpose of these rules.

Note 1—For the purpose of these rules the term "Government service" shall be deemed to include prior service under any other Government or under Local Funds administered by Government.

Note 2—A person re-employed under the Bengal Re-employed Personnel (Conditions of Service) Rules, 1934, will be regarded as having had a break in service.

161. The revised leave rules shall not apply to persons for whom special provisions regarding leave have been made.

162. All other rules regulating leave and leave procedure contained elsewhere in these rules shall, in so far as they are not inconsistent with, or repugnant in subject or context to, the rules in this section, remain operative in the case of all persons to whom the revised leave rules apply.

163. In this section—

- (i) "leave" includes earned leave, leave on private affairs, leave on medical certificate and extraordinary leave;
- (ii) "earned leave" means leave earned in respect of periods spent on duty;
- (iii) "earned leave due" means the amount of earned leave, calculated as prescribed in rule 167, 168, 170 or 171 diminished by the amount of earned leave taken.

164. Any kind of leave under the rules in this section may be granted in combination with or in continuation of any other kind of leave under the rules in this section.

165. No leave shall be granted beyond the date on which a Government servant must compulsorily retire:

Provided that, if a Government servant has applied in writing for earned leave due to him preparatory to retirement and has on account of the exigencies of the public service been denied that leave in whole or in part by the authority empowered to grant it, the said authority may grant to the Government servant the whole or any portion of the earned leave so denied, even though it extends to a date beyond the date on which such Government servant must compulsorily retire:

Provided further that a Government servant whose service has been extended in the interests of the public service beyond the date of his compulsory retirement may similarly be granted either within the period of extension or, if the conditions of the preceding proviso are satisfied, after its expiry, any earned leave which could have been granted to him under the preceding proviso had he retired on that date and in addition any earned leave due in respect of such extension not exceeding the limit of 90 days in all prescribed in rule 167.

166. Subject to the provisions of rules 151 and 165, a Government servant may at any time be granted the whole or any part of the earned leave due to him.

167. Subject to the provision of rule 167A the earned leave admissible to a Government servant in permanent employ is one eleventh of the period spent on duty:

Provided that, when the earned leave due amounts to—

- (i) 120 days in the case of a Government servant in superior service who is stationed at and proceeds on leave from a remote locality referred to in clause (d) of rule 80; or
- (ii) 90 days in the case of any other Government servant; he shall cease to earn such leave.

167A. The earned leave admissible to a Government servant in the Lower Subordinate Service in permanent employ appointed on or after 1st January, 1946, is one twenty second of the period spent on duty:

Provided that when the earned leave due amounts to 30 days he shall cease to earn such leave:

Provided further that a Government servant in the Lower Subordinate Service who was appointed before 1st January, 1946, and was governed by rule 167 or 184 of the said rules shall have the option of coming under this rule subject to the condition that only half the amount of earned leave or leave on average pay at his credit on the date on which he exercises the option up to a maximum of 30 days in all shall be permitted to be carried forward to his new leave account. The intention of exercising this option must be specifically declared to the sanctioning authority within 6 months from the date of promulgation of these amendments and the date of such declaration shall be the date of coming under these rules. The option once exercised is final.

168. (1) The earned leave admissible to a Government servant not in permanent employ is, when he is in superior service, one twenty second of the period spent on duty, provided that when the earned leave due amounts to 30 days he shall cease to earn such leave.

(2) No earned leave is admissible to a Government servant in the Lower Subordinate Service not in permanent employ.

Note—In calculating "earned leave" the actual number of days of duty performed should first be counted and then multiplied by 1/11th or 1/22nd as the case may be, and the product expressed in days (and a fraction of a day).

169 A Government servant not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with earned leave which would have been admissible if his previous duty had been duty as a Government servant in permanent employ diminished by any earned leave already taken. Leave is not an interruption of duty for the purpose of this rule.

Note 1—This rule does not contemplate the re-adjustment of leave salary already paid.

Note 2—The words “interruption of duty” should be interpreted as “Cessation of employment in Government service”. A Government servant having no lien on any permanent appointment, is not entitled to any pay of leave salary during joining time under rule 95 if the transfer is not made in the public interest. The time occupied in transit during such transfer shall not, however be “interruption of duty” for the purpose of rule 169.

170. Subject to provisions of rule 117—

- (a) earned leave is not admissible to a Government servant in permanent employ serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation:
- (b) the earned leave admissible to such a Government servant in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of—
 - (i) 15 days' earned leave if he is in the Lower Subordinate Service and is appointed to it on or after 1st January 1946, or having been appointed to it before 1st January, 1946, elects in writing to earn leave, if he is wholly detained during the vacation, in accordance with the provisions of rule 167A;
 - (ii) otherwise 30 days' earned leave as the number of days of vacation not taken bears to the full vacation:

Provided that if any year he is prevented from availing himself of any part of the vacation, earned leave is admissible to him in respect of that year in accordance with the provisions of rule 167 or 167A, as the case may be.

- (c) Vacation may be taken in combination with or in continuation of any kind of leave under these rules, provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed 90 days in the case of a Government servant governed by rule 167 or 30 days if he is governed by rule 167A.
- (d) Earned leave is not admissible to a Government servant serving in a vacation department who is not in permanent employ.

Note—In the case of officers to whom the revised leave rules in this section apply, this rule overrides rules 287 and 316.

171. Notwithstanding anything in clauses (a) and (b) of rule 170—

- (a) the earned leave admissible to the Judges and Registrar of the Small Causes Courts, and to members of the East Pakistan Civil Service (Judicial) in respect of duty performed in any year in which the officer avails himself of the full vacation shall be 1/22nd of the period spent on duty;

- (b) the earned leave admissible to such a Government servant in respect of any year in which he is prevented from availing himself of the full vacation shall be such proportion of 15 days' earned leave as the number of days of vacation not taken bears to the full vacation in addition to what is admissible under clause (a).

172 Leave on private affairs may be granted only to a Government servant in permanent employ in superior service and to the following extent, namely:

- (a) if not belonging to a Subordinate Service, for eighteen months in all, and on any one occasion for not more than three months in all if spent wholly in Asia or for not more than nine months if spent wholly outside Asia; if the leave is spent partly in and partly outside Asia, the period shall be three months *plus* such time as is actually spent outside Asia subject to a maximum total period of nine months;
- (b) if belonging to a Subordinate Service, for twelve months in all, and on any one occasion for not more than three months if spent wholly in Asia or for not more than six months if spent wholly outside Asia; if the leave is spent partly in and partly outside Asia, the period shall be three months *plus* such time as is actually spent outside Asia subject to a maximum total period of six months.

173. (1) Leave on medical certificate not exceeding twelve months in all during his service may be granted to a Government servant in permanent employ: provided that, when the maximum period of twelve months is exhausted further leave on medical certificate not exceeding six months in all may be granted in exceptional cases on the recommendation of a Medical Board.

(2) Leave on medical certificate may be granted to a Government servant not in permanent employ, when his in superior service, up to one-third of the period spent on duty *minus* the amount of any such leave that may already have been taken by him.

(3) The leave admissible under sub-rule (1) and (2) shall be given only on production of a medical certificate from such medical authority as Government may, by general or special order, prescribe in this behalf and for a period not exceeding that recommended by the medical authority.

(4) In the case of Government servant in superior service not in permanent employ who is subsequently appointed to a permanent post, the leave admissible under rule (1) in respect of his permanent service will be reduced by such leave as may already have been enjoyed by him under sub-rule (2) during his previous temporary service.

Note 1—A Government servant who is eligible under this rule to leave on medical certificate cannot be compelled against his wishes to take earned leave.

Note 2—Within the maximum limit prescribed there is no restriction on the grant of leave on medical certificate. A Government servant may exhaust the whole of his leave at the early part of his service. This is undesirable. Long stretches of leave on medical certificate should not be granted without very careful scrutiny. The sanctioning authority should satisfy himself in each case that on the expiry of the leave the Government servant would be fit for duty. The Medical Authorities are precluded from recommending grant of leave in cases in which there is no reasonable prospect of a Government servant being ever fit to resume his duties. In doubtful cases a second medical opinion on this aspect should be obtained or the matter referred to the Medical Board if the leave was recommended originally by an authority other than the Board. Under rule 151 the possession of a medical certificate does not in itself confer on the Government servant any right to leave. In extreme cases it may be necessary to refuse leave altogether in order that the Government servant may be invalidated from service.

174. (1) Extraordinary leave may be granted to any Government servant in special circumstances—

(a) when no other leave is by rule admissible, or

(b) when other leave is admissible, but the Government servant concerned applies in writing for the grant of extraordinary leave.

(2) Except in the case of a Government servant in permanent employ the duration of extraordinary leave shall not exceed three months on any one occasion:

Provided that this restriction shall not apply in the case of a Government servant not in permanent employ who is permitted to undergo training abroad after executing a bond to serve Government for a period of five years and also in the case of such a Government servant who has rendered continuous service for at least three years and who is permitted to undergo training or study within Pakistan after executing a similar bond; and

Provided further that in case of absence on account of prolonged illness extraordinary leave may be granted to a temporary Government servant up to maximum period of six months on production of a medical certificate.

Note—Temporary Government servants who contract tuberculosis may be granted extraordinary leave up to a maximum period of twelve months on any one occasion; provided—

The post from which the Government servant proceeds on leave is likely to last till his return to duty;

The extraordinary leave shall be granted on the production of a certificate specifying the period for which leave is recommended, from the Medical Officer-in-charge of a sanatorium or from a T.B. Specialist or a Civil Surgeon; and

In recommending leave the Medical Officer shall bear in mind the provision in rule (7) under Appendix 8 to the East Pakistan Service Rules, Part I.

(3) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

175. (1) A Government servant on earned leave is entitled—

(a) if in permanent employ to leave salary equal to his average pay, or to his average substantive pay for the 12 complete months preceding the month in which leave is taken whichever is greater:

Provided that the leave salary of a Government servant in the Lower Subordinate Service who is not governed by rule 167A shall be reduced by half the amount of the pay drawn by any substitute employed in his absence:

(b) if not in permanent employ to leave salary equal to his average pay.

(2) A Government servant on leave on private affairs or leave on medical certificate is entitled to leave salary equal to half his average pay, or to half his average substantive pay for the 12 complete months preceding the month in which leave is taken, whichever is greater, subject in either case to—

(a) a maximum of Rs. 750, and

- (b) for any portion of the leave which is spent outside Asia, a minimum of £20 or the amount of his average pay, whichever is smaller:

Provided that in case of an attachment order having been issued by a court in Pakistan in accordance with rule 48, Order XXI—First Schedule of the Code of Civil Procedure, 1908 (Act V of 1908), as adapted in Pakistan that part of the leave salary which is attached shall be remitted to the court in rupees by the accounts authority in Pakistan notwithstanding that the leave salary is due in respect of leave out of Asia and the maximum and minimum rates of leave salary prescribed in this rule shall be reduced by the amount specified in the attachment order converted into sterling at the rate of exchange prescribed.

- (3) A Government servant on extraordinary leave is not entitled to any leave salary.

(4) For the purpose of this rule "substantive pay" means the substantive pay of the permanent post which the Government servant holds substantively or on which he holds a lien or would hold a lien had the lien not been suspended.

Note—By rule 5(5) "average pay" in section II of the chapter will be calculated on the "average monthly pay earned during the 36 complete months immediately preceding the month in which the event occurs which necessitates the calculation of average pay".

Section III

SPECIAL AND ORDINARY LEAVE RULES

176. All Government servants who are not elsewhere in these rules declared to be subject to the revised leave rules or to the special leave rules, shall be subject to the ordinary leave rules.

177. The following Government servants shall be subject to the special leave rules, namely—

- (a) subject to rule 160, any Government servant having at the time of his appointment to a service or post to which the Fundamental Rules or these rule apply, his domicile elsewhere than in Asia;
- (b) any Government servant having at the time of his appointment his domicile in Asia who, prior to the 24th July, 1923, had been admitted to the benefits of the European Services Leave Rules under the Civil Service Regulations, or who, between the 1st January, 1922 and the 24th July, 1923, held a post which would have entitled him to such admission had he been subject to the Civil Service Regulations; and
- (c) any Government servant having at the time of his appointment his domicile in Asia who prior to the 24th July, 1923, held substantively an appointment in a department in which the attainment of a certain rank or a certain rate of pay entitled the officer to admission to the benefits of the European Services Leave Rules under the Civil Service Regulations:

Provided that such a Government servant shall only be entitled to the benefits of the special leave rules when he attains that rank or rate of pay:

Provided further that the concession allowed by clause (c) of this rule is not admissible to a Government servant who attains such rank or rate of pay by reason of being promoted by selection from a subordinate service or post after the 24th July 1923.

Note—A Government servant who becomes eligible to the special leave rules while he is on leave under the ordinary leave rules may, from the date he becomes so eligible, change the balance of his leave to leave under the special leave rules.

178. A leave account shall be maintained for each Government servant who in terms of leave on average pay.

179. (1) In the leave account of a Government servant who on his entry into Government service becomes subject to the Fundamental Rules or to these rules (exclusive of section II of this chapter) shall be credited—

(i) if he be under the special leave rules five-twenty seconds of the period spent on duty; and

(ii) if he be under the ordinary leave rules two-elevenths of the period spent on duty.

(2) In the leave account of a Government servant who is already in Government service when he becomes subject to the rules mentioned in sub-rule (1) shall subject to the provisions of sub-rule (4), be credited—

(i) if he be under the special leave rules—

(a) the privilege leave which it would on the date on which he becomes subject to the Fundamental Rules be permissible to grant to him under the rules in force prior to that date; *plus*

(b) one-twelfth of the period prior to that date spent on duty or on privilege leave while subject to the Indian Service Leave Rules of the Civil Service Regulations; *plus*

(c) one-eighth of the period prior to that spent on duty or on privilege leave while subject to the European Service Leave Rules; *plus*

(d) five twenty-seconds of the period spent on duty subsequent to that date;

(ii) if he be under the ordinary leave rules—

(a) the privilege leave which it would on the date on which he becomes subject to the Fundamental Rules be permissible to grant to him under the rules in force prior to that date; *plus*

(b) one-twelfth of the period spent on duty or on privilege leave prior to that date; *plus*

(c) two-elevenths of the period spent on duty subsequent to that date.

(3) Subject to the provisions of sub-rule (4) any Government servant other than a military commissioned officer transferred permanently from military to civil employ is entitled to a credit to his leave account based on such portion of his military duty as under the rules for the time being in force is permitted to count for pension.

(4) In the case of a Government servant (other than a Government servant who became subject to the Fundamental Rules before the 10th April 1934 who becomes subject to the rules mentioned in sub-rule (1) in the calendar year in which he was transferred from military to civil employ, and who before transfer was subject to military leave rules, the credit under sub-rule (2) or (3) shall be reduced by 1/11th of the duty intervening between the date of his becoming subject to the rules mentioned in sub-rule (1) and the termination of the calendar year of transfer, but this reduction shall not be made if privilege leave under the military rules is not admissible in respect of the calendar year of transfer because the Government servant has not actually performed duty in the Military Department during that year.

(5) A Government servant who is subject, at the time when the Fundamental Rules came into force, to the Indian Service Leave Rules which were in force in January, 1920, is entitled to credit to his leave account in addition to the periods admissible under sub-rule (2) one-third of any period of leave on medical certificate taken under the former rules.

Note 1—Five twenty-seconds of the period spent on duty should be calculated thus the amount of duty as expressed in terms of years months and days should be multiplied by 5 and the product divided by 22. In this process of multiplication and division a month should be reckoned as equal to 30 days. Two-eleventh of the period spent on duty should also be calculated similarly.

Note 2—The expression "period spent on duty" in sub-rule (2) (i)(b) and (2)(ii)(b) of this rule includes also periods of subsidiary leave taken under the rules in force prior to 29th July, 1920.

Note 3—In calculating the leave admissible to Government servants subject to the ordinary leave rules or a part of their service, and to the special leave rules for the remainder their service the periods spent on duty, under each of these rules, should be taken separately and the calculation of the leave admissible in respect of each of these periods should be made separately. According to his interpretation of the rule the amount of leave that will be credited to the leave account of a Government servant, who was originally under the Indian Service Leave Rules and then came under the European Service Leave Rules, will, under sub-rule (2) be: (1) the privilege leave which it would on the date on which he becomes subject to the Fundamental Rules, be permissible to grant to him under the rules in force prior to that date, plus (2) one-twelfth of the period spent on duty or on privilege leave during the period he was under the Indian Service Leave Rules, plus (3) one-eighth of the period spent on duty or on privilege leave during the period he was subject to the European Service Leave Rules prior to the date of his coming under the Fundamental Rules plus (4) five-twenty-seconds of the period spent on duty subsequent to the date of his coming under the Fundamental Rules. The concession in sub-rule (5) should also be allowed, subject to the proviso that the total leave so credited under clause (ii) of sub-rule (2) should not exceed what would have been admissible had the Government servant been under the European Service Leave Rules from the beginning of his service.

Note 4—The leave of a Government servant who has been in the employ of the Military Department and subject to the Civil Service Regulations, should on his permanent transfer to the Civil Department, be regulated under sub-rule (2) and not under sub-rule (3).

180. Temporary and officiating service rendered either under the Central or any Provincial Government, will, if followed by confirmation, be taken into account for the purpose of leave account maintained under these rules provided that, under the rules laid down by the other Government, such service would have counted had the Government servant in question continued in the service of that Government without a break till confirmation.

181. The amount of leave debited against a Government servant leave account is—

(a) the actual period of leave on average pay, including any furlough on average salary, taken under any rules previously in force [excluding

special disability leave on average pay under sub-rule (7) of Fundamental Rule 83] together with the actual period of leave on average pay taken under these rules [excluding special disability leave on average pay under sub-rule (7) of rule 192] and

- (b) half the period of leave, taken under the Fundamental Rules or under these rules, on half-average pay (other than special disability leave) or on quarter average pay, or of special disability leave on average pay under clause (b) of sub-rule (7) of Fundamental Rule 83 or under clause (b) of sub-rule (7) or rule 192.

Note 1—No privilege leave taken under former civil leave rules is debitable under clause (a).

Note 2—Under clause (b) are debitable furlough, leave on medical certificate and special leave with allowances taken under wither the European Services Leave Rules or the Indian Service Leave Rules as they stood before the Fundamental Rules came into force, together with leave, other than leave on average pay [which is to be debited under clause (a)], taken under the Fundamental Rules.

Note 3—In cases covered by sub-rule (3) or rule 179 the leave taken during the period of duty on which the credit to the leave account is based is to be debited as prescribed in Notes 1 and 2 above.

182. When a Government servant, who has previously been subject to the ordinary leave rules, is admitted to the benefits of the special leave rules, no change shall be made in the amount of leave previously credited and debited to his account, but he shall be entitled to the maximum amount of leave prescribed in clause (a)(i) of rule 184.

183. The amount of leave due to a Government servant is the balance of leave at his credit in the leave account.

184. Leave may be granted to a Government servant at the discretion of the authority entitled to grant the leave, subject to the following restrictions:

- (a) The maximum amount of leave which may be granted, expressed in terms of leave on average pay, is the privilege leave which it would be permissible to grant to the Government servant in question, on the date on which he became subject to the Fundamental Rules, under the rules applicable to him prior to that date; *plus*

One-eleventh of the period spent on duty subsequent to that date; *plus*

- (i) in the case of Government servants under the special leave rules, three years; or
- (ii) in the case of Government servants under the ordinary leave rules two and a half years;

Provided that special disability leave on half-average pay or on average pay under clause (a) of sub-rule (7) of rule 192 shall not be taken into account in calculating the maximum prescribed by this clause, and, in the case of such leave taken on average pay under clause (b) of sub-rule (7) of rule 192, account shall be taken of only half the period thereof.

***(b)** The maximum amount of leave on average pay, including any, furlough on average salary taken under any rules previously in force but excluding special disability leave on average pay under clause (a) of sub-rule (7) of rule 192 which may be granted is—

(i) To a Government servant under the special leave rules eight months at any one time and, in all, the privilege leave which it would, on the date on which he came under the Fundamental Rules, be permissible to grant to him under the rules applicable to him prior to that date : *plus*

One-eleventh of the period spent on duty subsequent to that date: *plus* one year.

(ii) To a Government servant under the ordinary leave rules, four months at any one time, and, in all, the privilege leave which it would, on the date on which he came under the Fundamental Rules, be permissible to grant to him under the rules in force prior to that date: *plus*

One-eleventh of the period spent on duty subsequent to that date:

Provided that in the case of a Government servant, other than a member of the Lower Subordinate Service, subject to the ordinary leave rules, who either takes leave on medical certificate other than leave preparatory to retirement or spends his leave elsewhere than in Pakistan, India, Burma, Aden, Ceylon or Nepal, the maximum prescribed in sub-clause (i) of this clause shall apply.

Note—A member of the Lower Subordinate Service who was appointed before 1st January 1946 had the option to be governed by rule 167A.

*It has been decided that "in partial modification of the existing provisions of the rules the maximum amount of leave on average pay which may be granted at any one time shall be as follows:

(i) Superior Government Servants governed by the Ordinary Leave Rules in the East Bengal Service Rule, Part I:

Four months, irrespective of whether the leave is spent in Pakistan or outside Pakistan. This limit may be raised to eight months if leave is taken on medical certificate or preparatory to retirement.

(ii) Superior Government Servants governed by the prescribed Leave Rules, 1959:

Four months, irrespective of whether the leave is spent in Pakistan or outside Pakistan. This limit may be raised to six months if leave is taken on medical certificate or preparatory to retirement.

(b) Class IV Government Servants—Two month. This limit may be raised to six months when leave is taken on medical certificate or preparatory to retirement.

Leave salary in respect of leave on medical certificate or leave preparatory to retirement may be drawn in Sterling for the period actually spent outside Pakistan and India but not exceeding four months. In respect of leave other than leave on medical certificate or leave preparatory to retirement, spent outside Pakistan and India, leave salary may not be drawn in Sterling for a period exceeding six weeks.

These orders shall come into force from 1st April 1966" [S. & G.A. (Regn.) Department No. R-III/3L-46/352, dated the 12th November, 1966]

- (c) Save in the case of leave preparatory to retirement leave not due may be granted subject to the following conditions:
- (i) on medical certificate, without limit of amount; and
 - (ii) otherwise than on medical certificate, for not more than three months at any one time and six months in all, reckoned in terms of leave on average pay.
- (d) The maximum period of continuous absence from duty on leave granted, otherwise than on medical certificate and excluding extraordinary leave is twenty-eight months. The period shall in no circumstances be exceeded by a Government servant who is on leave preparatory to retirement.
- (e) When a Government servant returns from leave which was not due and which was debited against his leave account no leave will become due to him until the expiration of a fresh period spent on duty sufficient to earn a credit of leave equal to the period of leave which he took before it was due.

Note 1—In addition to leave on average pay for four months under clause (a) of sub-rule (7) of rule 192 which is not debitable to the leave account, the maximum amount of leave on average pay that can be taken whether under clause (b) of sub-rule (7) of rule 192 or clause (b) of this rule or both can be only eight months except in the case of leave on medical certificate preparatory to retirement.

Note 2—Under sub-rule (4) of rule 192 special disability leave can be combined with leave of any other kind. There is no objection to the interpolation of ordinary leave between period of special disability leave provided that the limits laid down in clause (b) of this rule are not exceeded in respect of leave on average pay other than special disability leave taken under clause (a) of sub-rule (7) of rule 192.

Note 3—If, under the operation of the proviso to clause (b)(ii) of this rule the maximum amount of leave on average pay admissible at a time is increased, further leave on average pay may not be granted in continuation, unless such leave is taken on medical certificate or is spent elsewhere than in Pakistan, India, Burma, Aden, Ceylon or Nepal but such leave on average pay which may be taken on medical certificate or outside Pakistan, India, Burma, Aden, Ceylon or Nepal up to a maximum of 12 months in Government servant's whole service, if due, does not consume the leave on average pay which may be taken without medical certificate.

Note 4—A Government servant subject to the ordinary leave rules may be granted leave on average pay in all equal to the privilege leave which it would, on the date on which he came under the Fundamental Rules, be permissible to grant to him, under the rules applicable to him prior to that date, plus one-eleventh of the period spent on duty subsequent to that date plus any period of leave on average pay taken on medical certificate or spent elsewhere than in Pakistan, India, Burma, Aden, Ceylon or Nepal subject to a maximum of one year.

Note 5—If leave on average pay is applied for after a Government servant has had leave on half-average pay in continuation of period of leave on average pay either by the production of a medical certificate or by a Government servant proceeding out of Pakistan, India, Burma, Aden, Nepal or Ceylon, the period of leave on average pay that may then be granted should be similarly limited to the period actually covered by the medical certificate or spent elsewhere than in Pakistan, India, Burma, Aden, Nepal or Ceylon. The grant of the leave should also be so regulated that the total period of leave on average pay during that spell of leave does not exceed eight months. In such cases the total period of leave on average pay shall be treated as one continuous spell of leave on average pay in order to determine whether the first four months of the leave should be treated as privilege leave for purposes of pension.

Note 6—Leave not due is intended to be regarded as an advance of leave and its grant should therefore be limited to the amount that both can be and will be earned by subsequent

duty; further, it is meant to be granted only in exceptional circumstances, such as illness or urgent private affair; and finally, when the exceptional step of granting such leave is taken, it should be irrevocable, except at the request of the officer, who should not be penalised if reasonable anticipations fail to materialise.

Leave not due should in no case be granted unless the sanctioning authority is satisfied that so far as can be reasonably foreseen the officer will return to duty and earn it; but the leave when granted should in all cases, subject to the officer's wishes and to Note 7, be allowed to stand including cases in which the officer fails to earn it by subsequent duty.

Note 7—In cases where a Government servant who has been granted leave not due under clause (c) applies for permission to retire voluntarily the leave not due shall, if the permission be granted, be cancelled and his retirement shall have effect from the date on which such leave commenced.

Note 8—The expression "continuous absence from duty on leave" occurring in sub-rule (d) includes absence on "Special Leave" granted in connection with the award of Commonwealth Fund Service Fellowships, if, owing to a combination of ordinary leave with such special leave" the aggregate period of absence exceeds 28 months.

185. (1) Leave at the credit of a Government servant in his leave account shall lapse on the date on which he must compulsorily retire provided that if in sufficient time before that date he has—

- (a) formally applied for leave and been refused it, or
- (b) ascertained in writing from the sanctioning authority that leave if applied for would not be granted,

in either case the ground of refusal being the requirements of the public service, than the Government servant may be granted, after the date of retirement, the amount of leave so refused subject to a maximum of six months.

(2) A Government servant retained in service after the date of compulsory retirement shall earn leave on average pay at the rate of 1/11th of duty performed after that date and shall be allowed to add thereto any amount of leave which could have been granted to him under sub-rule (1) had he retired on that date. The total period which he may take on each occasion shall not exceed six months.

When his duties finally cease, the Government servant may be granted leave preparatory to retirement, up to a maximum of six months as follows:

- (i) the balance after deducting the amounts of leave, if any, taken during the period of extension, from the amount of leave which could have been granted to him under clause (1) had he retired on the date of compulsory retirement, plus
- (ii) the amount of leave earned under this clause which is due to the Government servant and which he has, in sufficient time during the period of extension—

- (1) formally applied for and been refused, or
 - (2) ascertained in writing from the sanctioning authority, would not be granted if applied for,
- in the either case the ground of refusal being the requirements of the public service.

Note-1—This rule simply limits the amount of leave that may be granted to Government servants who have reached or are about to reach the date on which they are required to retire. The kind of leave and the leave salary are determined not this rule, but by the general rules in rules 184 and 204. The proviso to clause (ii) of sub-rule (b) of rule 184 should, therefore, be held to apply in cases of leave granted under this rule.

Note 1A—The words “in sufficient time” in sub-rule (1) and sub-rule (2)(ii) shall be construed to mean a period of three months before the date from which the leave is due to commence.

Note 2—The proper test in applying this rule is whether it would be more convenient on general administrative grounds for a Government servant to take leave before or after the age of superannuation, and Government servants should be warned that the rule is intended to apply only in cases in which a Government servant with leave due to him has applied for leave in sufficient time before the date of retirement, and his application has been refused owing to the exigencies of the public service, and that is not intended to apply so as to enable a Government servant at his own option to take leave, after, instead of before, the date of retirement.

Note 3—The period of six months mentioned in this rule includes any period of vacation with which leave is combined.

Note 4—A deduction should be made under sub-rule (2) on account of vacation enjoyed.

Note 5—This rule does not operate in the case of a clerical Government servant between the ages of 55 and 60 or in the case of a member of the Lower Subordinate Service between the ages of 60 and 65, unless an order is passed requiring him to retire.

Note 6—The leave earned by the period of duty intervening between the refusal of leave pending retirement and the date of compulsory retirement is merged in the common pool in the leave account and forms an indistinguishable part of the total leave at credit the whole of which, with the exception only of the net amount of leave refused, lapses under clause (1) of rule 185 on the date of compulsory retirement. The grant of any leave between the date from which the “refusal of leave” took effect and the date of superannuation should, therefore, be held to be a grant of leave against the amount originally refused. The amount of leave admissible under clause (1) after superannuation in such a case is therefore the amount of leave originally refused *minus* the amount of the “post-refusal” leave enjoyed; and this difference is subject to a maximum of 6 months. This principle applies equally to leave available under clause (2) including that earned in respect of duty during a period of refused leave.

Section IV

VACATION DEPARTMENT

186. [Transferred to Chapter II.]

187. A Government servant serving in a vacation Department shall be considered to have availed himself of a vacation or a portion of a vacation, unless he has been required, by general or special order of a higher authority, to perform duty of any kind during such vacation or portion thereof: Provided that, if he has been prevented by such an order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

188. Vacation counts as duty, but the periods of total leave in rule 179 and clauses (a) and (b) of rule 184 shall ordinarily be reduced—

- (a) in the case of the Judges and Registrar of the Small Causes Court, and members of the East Pakistan Civil Service (Judicial) by fifteen days, and
- (b) in other cases by one month, for each year of duty in which the Government servant has availed himself of the vacation. If a part only of the vacation has been taken in any year, the period to be deducted will be a fraction of 15 days in case (a) or of a month in case (b) equal to the proportion which the part of the vacation taken bears to the full period of vacation, provided that in the case of members of the East Pakistan Civil Service (Judicial) leave may not be both affixed and prefixed to a vacation.

Note—The term “each year of duty” should be interpreted to mean, not a calendar year in which duty is performed, but twelve months of actual duty. If the Government servant has enjoyed such vacation as falls within a period of twelve months beginning on the day on which he begins his duty on return from leave or otherwise, than one month, should be deducted from his leave account. It does not matter whether the day on which this year ends falls in a vacation in the succeeding calendar year. The only question is whether the Government servant has enjoyed such vacation as fell within the period of one year interpreted above.

In the case of Government servants who are allowed two vacations in the year instead of one, the periods of the two vacations should be regarded as combined into one.

189. In the case of a member of the East Pakistan Civil Service (Judicial)—

- (a) who is, by general or special orders issued by competent authority, prevented from availing himself of a part only of the annual vacation the Government servant may, during privilege leave subsequently taken, draw his full pay for a period bearing the same proportion to half a month as the time spent on duty during the vacation bears to the whole vacation;
- (b) who is granted privilege leave under Article 271, Civil Service Regulations, the proviso to that article shall apply only to such portion of the leave taken as exceeds half the privilege leave earned under the ordinary rules subsequent to the 20th February, 1928 and the proviso to Article 46 of the said Regulations shall not apply see

far as the earning of fresh privilege leave from the 20th February 1928 is concerned, provided that the privilege leave at credit at any time shall not exceed four months.

Note—The period of full pay leave under clause (a) is in addition to the concession conveyed in clause (b).

190. In cases of urgent, necessity, when a Government servant requires leave and no leave is due to him, the periods in rule 179 and clause (a) of rule 184 as reduced by rule 188 may be increased by one month for every two years of duty in a vacation department:

Provided that in the case of members of the East Pakistan Civil Service (Judicial) and the Judges and Registrar, Court of Small Causes, the amount of leave to be added should be reduced by 15 days.

Note 1—The amount credited to the leave account under this rule, as well as that added to the maximum under clause (a) of rule 184 should be the actual amount of additional leave taken under this rule, and not the total amount theoretically permissible, i.e., one month for every two years of duty.

Note 2—When the privilege permitted by this rule is exercised, the additional leave permissible under that clause becomes a "leave due", and thus acquires a character different from the leave not due which may be granted under clause (c) of rule 184. Leave under this rule and under clause (c) of rule 184 may be granted in conjunction.

191. (1) When a Government servant combines vacation with leave, the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave.

(2) The period of 28 months mentioned in clause (d) of rule 184 and in rule 206 shall include the period of vacation, if any, with which leave is combined.

(3) Holidays immediately preceding or immediately succeeding vacation shall be treated as a part of the vacation for all purposes.

Section V

SPECIAL KINDS OF LEAVE

192. (1) Subject to the conditions hereinafter specified special disability leave may be granted to a Government servant who is disabled by injury intentionally inflicted or caused in, or consequence of, the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice, provided that if Government are satisfied as to the cause of the disability, such leave may be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by a medical board to be necessary. It shall not be extended except on the certificate of a medical board, and shall in no case exceed 24 months.

(4) Such leave may be combined with leave of any other kind.

(5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.

(6) Such leave shall be counted as duty in calculating service for pension, and shall not, except as provided in clause (b) of rule 181, be debited against the leave account.

(7) Leave salary during such leave shall be equal—

(a) for the first four months of any period of such leave, including a period of such leave granted under sub-rule (5) of this rule, to average pay, and

(b) for the remaining period of any such leave to half average pay, or at the Government servants' option, for a period not exceeding the period of average pay which would otherwise be admissible to him to average pay;

Note—Vide definition of "leave on average pay".

Provided that the maxima specified in the table in rule 208, shall, notwithstanding anything contained in that rule, apply to the whole period of such leave and the minima specified in the table in rule 209 shall apply when leave salary during such leave is equal to half-average pay, subject to the conditions stated in that rule.

(8) In the case of a person to whom the Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under clause (d) of sub-section (1) of section 4 of that Act.

(9) The provisions of this rule apply to a civil servant disabled in consequence of service with a military force, if he is discharged as unfit for further military service, but is not completely and permanently incapacitated for further civil

service; but any period of leave granted to such a person under military rules in respect of his disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.

Note—*Vide* notes 1 and 2 to rule 184.

193. The application of the provisions of rule 192 may be extended to a Government servant who is disabled by injury accidentally incurred in, or in consequence of, the due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds. The grant of this concession is subject to the further conditions—

- (i) that the disability, if due to disease, must be certified by a medical board to be directly due to the performance of the particular duty; and
- (ii) that, if the Government servant has contracted such disability during service otherwise than with a military force, it must be, in the opinion of Government, so exceptional in character or in the circumstances of its occurrence as to justify such unusual treatment as the grant of this form of leave; and
- (iii) that the period of absence recommended by the medical board may be covered in part by leave under this rule and in part by other leave, and that the amount of special disability leave granted on average pay may be less than four months.

194. Leave may be granted to Government servants on such terms as Government may by general order prescribe, to enable them to study scientific, technical or similar problems or to undergo special courses of instruction, such leave is not debited against the leave account.

Note—The general orders of Government under this rule are contained in Appendix No. 5.

195. (1) Subject to the provisions of rule 34, extraordinary leave which is not debited against the leave account may be granted in special circumstances when no other leave is by rule admissible or when, other leave being admissible, the Government servant concerned applies in writing for the grant of extraordinary leave. No leave salary is admissible during such leave.

(2) The authority which has the power to sanction leave may grant extraordinary leave as in sub-rule (1) in combination with, or in continuation of, any leave that is admissible and may commute retrospectively periods of absence without leave into extraordinary leave.

Note 1—The power of commuting retrospectively periods of absence without leave into extraordinary leave under this rule is absolute and not subject to the conditions mentioned in sub-rule (1); in other words, such commutation is permissible even when other leave was admissible to the Government servant concerned, at the time his absence without leave commenced.

Note 2—This rule does not refer to casual leave for short periods: such leave is not recognised and is not subject to any rule. Technically, therefore, a Government servant on casual leave is not treated as absent from duty, and his pay is not interrupted. Casual leave, however, must not be given so as to cause an evasion of the rules regarding—

- (f) date of reckoning allowance—rules 26 and 27;

(ii) charge of office—rule 28;

(iii) commencement and end of leave—rules 152, 156, 157 and 158;

(iv) return to duty—rules 152, 156, 157 and 158;

or so as to extend the term of any leave beyond the time admissible by rule.

This note does not apply to compensation leave granted to press employees under rule 68(3) of the Rules for the Management of the Printing Department which may be combined with any other kind of leave.

196. Quarantine leave is leave of absence from duty necessitated by orders not to attend office in consequence of the presence of infectious diseases in the family or household of a Government servant. Such leave may be granted by the head of the office on the certificate of medical or Public Health Officer for a period not exceeding 21 days, or, in exceptional circumstances, 30 days. Any leave necessary for quarantine purposes in excess of this period shall be treated as ordinary leave. Quarantine leave may also be granted when necessary in continuation of other leave subject to the above maximum. No substitute should be appointed in place of a Government servant absent on quarantine leave. A Government servant on quarantine leave is not treated as absent from duty and his pay is not intermitted.

Note—Authorities having power to make appointment to posts under them may sanctioned a substitute for an absentee whether in permanent service or not who is prohibited from attending his duties on account of some infectious disease in this family, and whose duties cannot be arranged for, without prejudice to his pay; provided that the absence does not exceed 30 days and the pay of the absentee is not more than Rs.100 a month.

197. (1) The authority competent to fill her post substantively may grant to a female Government servant maternity leave which is not debited against the leave account on full pay at the rate she was drawing at the time of taking leave for a period which may extend up to the end of three months from the date of its commencement or to the end of six weeks from the date of confinement, whichever is earlier.

(2) Leave of any other kind, including leave on average pay to the extent admissible under clause (b) of rule 184, may be granted in continuation of maternity leave if the request for its grant be supported by a medical certificate.

Note—In the case of a female Government servant in temporary employ, maternity leave may be granted up to four weeks prior to and four weeks after the date of confinement provided that she has been in Government service for at least nine months immediately preceding the date of delivery irrespective of whether she is in superior or in Lower Subordinate Service.

198. Hospital leave means leave on account of ill-health granted to specified members of subordinate services whose duties expose them to special risk of accident or illness.

199. The authority competent to appoint them substantively may grant hospital leave to Government servants of the following classes while under medical treatment for illness or injury, if such illness or injury is directly due to risks incurred in the course of their official duties—

(a) Forest subordinates, viz.,—

Forester, Laboratory boy, Handyman, Mahoot, Grass cutter, Overseer, Surveyor, Coupe Overseer, Depot Watchman, Coupe Watcher, Drift Watcher, Forest Guard, Range Orderly, Boatman, Mali

Bungalow Chowkidar, Dakwala, Darwan, Office peon, Orderly peon, Electric Light stocker, Oilman, Greaser, and Fireman, Lasker, Sukhani, Tindal, Kassub.

- (b) Government servants employed in Government Presses, whether on fixed pay or on piece rates.
- (c) Subordinate employed in Government laboratories.
- (d) Subordinates employed on the working of Government machinery.
- (e) Peons and guards in permanent employ.
- (f) Subordinates of the Excise Department, viz.,—Petty Officer of Excise, Excise peon, Manjhi, Boatman.
- (g) Head Warders or warders, male or female, of lunatic asylums.
- (h) Syces of Government stajions.
- (i) Station Officers, Leaders, Fireman, Drivers, Workshop staff, Head Manjhi and Assistant Manjhis, employed in the Fire Service Directorate.

200. (1) The head of the office or the appointing authority may grant hospital leave to police officers of rank not higher than that of Assistant Sub-Inspector or head constable, to men of the military police or to members of crews of police launches (including serangs and drivers) and to chief head warders or warders, male or female, of jails, to matrons of the Jail Department or to the Chief Officer, Assistant Chief Officer, Gate-keeper and petty officers of the Borstal School, for a period during which they are under treatment as indoor or outdoor patients of a Police or Jail Hospital, as the case may be, provided that the said authority certifies that the illness or injury for which treatment is given is not directly due to intemperate or irregular habits.

(2) Such leave may also be granted on similar conditions and by the same authorities to men who have been treated in hospitals other than police or Jail Hospitals; provided that the authority sanctioning the leave is satisfied in each case that treatment in such a hospital was in the circumstances desirable and that the patient had taken proper steps to secure the permission of his superiors before obtaining treatment in or admission to such a hospital, provided that such leave cannot be granted to men who receive treatment in a hospital in their native district or elsewhere while they are on leave.

200A. Notwithstanding anything contained in rules 198 and 200 the Head of the office or the appointing authority may grant hospital leave to Government servants of the classes mentioned in rules 199 and 200 for a period during which they are under treatment for venereal diseases in a Hospital in the District in which they are employed or in such other Hospital as may be approved by the authority sanctioning the leave.

Note—The object of this rule is to encourage Government servants suffering from venereal diseases to come forward voluntarily for Medical Examination and Treatment. Hospital leave under this rule will not, therefore, be admissible to a Government servant who conceals or attempts to conceal the disease until concealment is no longer possible.

201. (1) Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible: Provided that the total period of leave, after such combination, shall not exceed twenty-eight months.

(2) The amount of hospital leave which may be granted to a Government servant is limited to three months on average pay in any period of three years. Hospital leave on half-average pay counts, for the purpose of this limit, as half the amount of leave on average pay.

(3) Hospital leave may be granted on leave salary equal to either average or half average pay, as the authority granting it may consider necessary:

Provided that the leave salary shall be reduced by the amount of any benefits under clause (d) of sub-section () of section 4 of the Workmen's Compensation Act, 1923, to which the Government servant may be entitled.

Note—The limit of eight months (*vide* rule 184) is not applicable when hospital leave is taken in combination with ordinary leave on average pay.

202. (1) A Government servant serving as an officer, warrant officer or petty officer on a Government vessel may, while undergoing medical treatment for sickness or injury, either on his vessel or in hospital, be granted by the Commander of the vessel special sick leave on leave salary equal to full pay for a period not exceeding six weeks: Provided that such leave shall not be granted if a responsible medical officer certifies that the Government servant is malingering or that his ill health is due to drunkenness or similar self-indulgence or to his own action in wilfully causing or aggravating disease or injury.

(2) A seaman disabled in the exercise of his duty may be allowed special sick leave on leave salary equal to full pay for a maximum period not exceeding three months, if the following conditions are fulfilled—

(i) A Government medical officer must certify the disability.

(ii) The disability must not be due to the seaman's own carelessness or inexperience.

(iii) The vacancy caused by his absence must not be filled.

(3) The grant of special sick leave under this rule is subject to the condition that the leave salary is not in addition to the benefits that the employee may be entitled to under clause (d) of sub-section (1) of section 4 of the Workmen's Compensation Act, 1923, but is inclusive of them.

(4) Leave granted under this rule is not debited against the leave account.

(5) The expression "full pay" in this rule means the pay at the time of taking the leave.

203. The grant of leave to subordinates in superior service and members of the Lower Subordinate Services attached to parties in the Survey Department of East Pakistan not being members of the office establishment located with the headquarters offices in Dacca, is regulated as follows:—

(i) In addition to leave to which they may be otherwise eligible under this chapter, departmental leave may be granted to such Government servants in the circumstances and on the conditions prescribed in this rule.

- (ii) (a) Departmental leave may not be granted except to a Government servant whose services are temporarily not required.
- (b) It may be granted during the recess by the head of the party provided in the case of a member of the Lower Subordinate Service that the officer granting the leave considers it desirable to re-employ him in the ensuing season.
- (c) It may be granted at times other than the recess for not more than six months at a time by the Director of Land Records and Surveys, East Pakistan: Provided that the leave is granted in the interests of Government and not at the Government servant's own request, and leave so granted may, in special cases, be extended up to a maximum of one year in all. Leave on medical certificate should never be regarded as granted in the interests of Government.
- (iii) Departmental leave may be granted on such leave salary, not exceeding half the pay drawn at the time of taking leave, as the authority granting the leave may think fit. The leave salary is payable on return to duty after the expiration of leave and is not payable unless the Government servant returns to duty when required by his superior officer to do so. If, however, a Government servant dies while on departmental leave, his leave salary up to the date of his death will be paid to his heirs.
- (iv) Departmental leave does not count as duty and will be debited to the leave account as though it were leave on half-average pay.
- (v) Departmental leave may be granted when no leave is due, and it shall not be taken into account when calculating the maximum amount of leave admissible under clause (a) or rule 184.
- (vi) Departmental leave may be combined with any other kind of leave which may be due.
- (vii) When a Government servant subject to these rules holds a post in which the Director of Land Records and Surveys, East Pakistan, considers that he is unlikely to be eligible for departmental leave in future, the Director of Land Records and Surveys, East Pakistan may by special order in writing declare that with effect from such date not being earlier than the Government servant's last return from departmental leave as the Director of Land Records and Surveys, East Pakistan, may fix, any balance of leave at debit in the Government servant's leave account shall be cancelled, to such extent as may be due to the departmental leave. All leave earned after such date will be credited as due in the Government servant's leave account; and all leave taken after such date, including departmental leave, if any, will be debited in it.

Section VI

LEAVE SALARY

204. Subject to the conditions in rules 184, 206, 207, 208 and 209, a Government servant on leave shall, during leave, draw salary as follows:

- (a) if the leave is due, leave salary equal to average pay, or to half-average pay, or to average pay during a portion of the leave and half-average pay during the remainder, as he may elect; and
- (b) if the leave is not due, leave salary equal to half-average pay:

Provided that when a non-gazetted Government servant who held substantively a permanent post on the 11th January, 1928, takes leave and—

- (i) his pay is less than Rs.300; or
- (ii) the leave taken does not exceed one month, his average pay for the purpose of this rule may be taken to be the pay which he would draw in the permanent post held substantively by him at the time of taking leave; if this pay be more than the average pay:

Provided further that the leave salary of a member of the Lower Subordinate Service to whom rule 167A does not apply shall not exceed what remains from his pay after providing for the efficient discharge of the duties of the post during his absence, except when, in the resultant officiating arrangements, a Government servant who has no substantive post is given more than half the pay of the post in which he officiates, in which case the excess over half pay granted to him may, at the discretion of the authority sanctioning the leave be disregarded in calculating the amount of leave salary.

Note 1—A Government servant who holds substantively a non-gazetted permanent post but proceeds on leave from a gazetted post should be regarded as a gazetted officer for the purposes of this rule.

Note 2—A Government servant cannot be compelled against his wishes to take leave on half-average pay when he elects to have it on full average pay provided such leave is due to him.

Note 3—The election given by this rule is the election between the three different forms of leave salary mentioned therein and the rule is not intended to give any choice as to the period during which average pay or half-average pay can be drawn if the officer elects the third form. In that case the intention is that the period on average pay should be taken first and should be succeeded by the period on half-average pay.

Note 4—The leave salary received by an absentee under the operation of the second proviso to this rule should not be taken into account in recording the leave granted to him. The account should be debited with the kind of leave granted irrespective of the leave salary.

Note 5—The second proviso to this rule does not apply to members of the Lower Subordinate Service paid from contingency, whose leave is regulated by rule 233.

Note 6—For the purpose of calculating, under this rule, the leave salary of a member of the Lower Subordinate Service whose pay is drawn in establishment bills employed in A class districts who were holding permanent posts substantively on the 21st July, 1931, the pay of the substitute, if any, shall be taken to be inclusive of the compensatory allowance drawn in the A class districts on account of expensiveness of living. In circulating the leaves salary of such employees as were not in substantive service on the 21st July, 1931, the compensatory allowance shall be disregarded altogether.

205. A Government servant entitled to the privilege contained in the first proviso to rule 204 will retain that privilege on re-appointment after resignation or discharge or reinstatement after dismissal or removal, provided that is allowed to count his past service for leave under rule 147.

206. After continuous absence from duty on leave excluding extraordinary leave for a period of 28 months, a Government servant will draw leave salary equal to quarter-average pay, subject to the maxima and minima prescribed in rules 208 and 209.

207. (1) That portion of leave salary which represents overseas pay drawn in sterling shall be paid in all cases in sterling and unless the Government servant exercises his option under sub-rule (4) of drawing it in a British Dominion or colony along with the balance of his leave salary, the payment shall be made by the High Commissioner for Pakistan in London.

(2) Subject to the provisions of sub-rule (1), leave salary shall be drawn in rupees if due in respect of leave spent in Asia, and in sterling if due in respect of leave spent out of Asia:

Provided that—

(a) in the case of leave on average pay not exceeding four months or leave on average pay and vacation combined or of the first four months of such leave if it exceeds four months, leave salary due in respect of an initial period of such leave spent in Asia may, if the Government servant proceeds out of Asia during the currency of such leave, or within one month of its termination, be drawn in sterling and leave salary due in respect of an initial period of such leave spent out of Asia may be drawn in rupees; or

(b) in the case of leave of any other description, or of periods of leave on average pay after the first four months of such leave, if the amount of such leave spent in Asia prior to embarkation does not in all exceed one month, leave salary in respect of the whole of such leave may be drawn in sterling;

(c) in the case of an attachment order having been issued by a court in Pakistan in accordance with rule 48, Order XXI, First Schedule, Code of Civil Procedure, 1908 (Act V of 1908), that part of leave salary which is attached shall be remitted to the Court in rupees by the Accounts Authority in Pakistan notwithstanding that the leave salary is due in respect of leave spent out of Asia. The balance of such leave salary shall be drawn in sterling in accordance with the rules in this section, except that the maximum and minimum rates of leave salary prescribed in rules 208 and 209 shall be reduced by the amount specified in the attachment order converted into sterling at the rate of exchange prescribed by Government under sub-rule (2) of this rule.

(3) Leave salary drawn in rupees shall be drawn in Pakistan, or, in the case of a Government servant who spends his leave in India, Ceylon, Burma or Aden in those respective places.

(4) Leave salary drawn in sterling shall be drawn in London, or, at the Government servant's option, in any British dominion or colony which the Government may by order prescribe for the purpose, provided that the officer spends his leave in the dominion or colony in which he has elected to draw his leave salary; but if leave salary due in respect of any portion of leave out of Asia and payable to the Government servant in sterling remains undrawn for no fault on his part, Government may authorise the undrawn amount to be paid in Pakistan at such rate of exchange as Government may by order prescribe:

Provided that if such leave salary remains undrawn on account of the late arrival of a steamer, drawal in Pakistan may take place without such authority.

(5) Leave salary shall be converted into sterling at such rate of exchange as Government may by order prescribe.

(6) Any leave salary drawn outside Pakistan shall be subject to deduction of Pakistan income-tax and super-tax at the rate which would have been applicable if that leave salary had been drawn in Pakistan.

Note 1—A list of Dominions and Colonies prescribed under sub-rule (4) and of the appropriate paying officers is contained in Appendix No. 6.

Note 2—The cost of leave salary paid outside Pakistan should be distributed between the different Governments, under which a Government servant has served, according to the length of service under each Government, and it should be debited to the "foreign" Government up to the full amount earned by that service.

Note 3—When a Government servant is transferred under a Government other than that under which he was first employed, the leave salary drawn by him during any leave taken after the date of transfer shall be charged to the borrowing Government until the entire leave earned under that Government is exhausted.

Note 4—For the purposes of this rule, the period of voyage to or from Pakistan is treated as leave out of Asia during which leave salary is payable in sterling. This applies to all direct (*i.e.*, unbroken) voyages between Pakistan and a port outside Asia irrespective of the route followed and the time spent in Asia on the voyage including stoppages incidental thereto (*e.g.*, for the purpose of transhipment); *i.e.*, it is meant to apply to all cases in which the period spent in Asia after embarking from Pakistan appears, on a liberal interpretation, to be a *bona fide* halt in the course of a voyage to or from Asia. The intention is, however, not to make leave salary payable in sterling when the voyage is broken in Asia at the volition of the officer or when he spent a portion of his leave in Asia before proceeding to another continent or resuming his duties in Pakistan.

Note 5—For the purpose of this rule Cyprus shall be regarded as outside Asia.

207A. Notwithstanding anything contained in these rules, the Government servants appointed after the 29th January, 1959, shall draw their leave salary in rupees in Pakistan irrespective of the country where they spend their leave.

Note—This rule does not apply to persons appointed before the 29th January, 1959. It has been decided that no Government servant shall be granted leave which will be spent elsewhere than in Pakistan, India, Burma, Aden, Ceylon or Nepal unless it is necessary for reasons of health or pilgrimage. The reason for granting leave *ex-Pakistan* should be recorded in the order sanctioning the leave.

This restriction shall not apply to—

- (i) Government servants of non-Asiatic domicile who would normally spend their long leave *ex-Pakistan*.
- (ii) Government servants who under the terms of their contract are entitled to spend their leave *ex-Pakistan*.

208. Except during the first four months of any period of leave on average pay, leave salary is subject to the monthly maxima shown in the following table :

	Average.		Half-average.		Quarter-average.	
	Outside Asia.	In Asia.	Outside Asia.	In Asia.	Outside Asia.	In Asia.
	£	Rs.	£	Rs.	£	Rs.
Government servants subject to the special leave rules.	200	2,000	100	1,000	60	600
Government servants subject to the ordinary leave rules.	150	1,500	75	750	60	600

Note 1—The maximum of average pay does not apply in the case of a Government servant who is entitled, under orders previously in force, to privilege leave for more than four months, during a period equal to that for which he is entitled to privilege leave.

Note 2—The maximum of average pay does not apply to a Government servant serving in a vacation department during a period of leave on average pay equivalent to one month for each year since his last leave during which he has not availed himself of the vacation, and to a proportionate fraction of a month during which he has taken a part only of the vacation; provided that in the case of a Government servant who is transferred with leave to his credit from a non-vacation to a vacation department, Government shall decide, on the first occasion on which he takes leave after such transfer, the period not exceeding four months for which the maximum limit of leave salary shall not be applied to him.

Note 3—The intention is that vacation should be treated as the equivalent of the leave on average pay for the purposes of this rule.

209. When leave is taken or extended out of Pakistan, elsewhere than in India, Ceylon, Nepal, Burma or Aden, by a Government servant, other than one to whom the revised leave rules apply, his leave salary is subject to the monthly minima shown in the following table, provided that his leave salary shall in no case exceed his average pay:

	Half-average.		Quarter-average.	
	Outside Asia.	In Asia.	Outside Asia.	In Asia.
	£	Rs.	£	Rs.
Government servants subject to the special leave rules.	33	333	16½	166
Government servants subject to the ordinary leave rules.	25	250	12½	125

210. The rupee and sterling maxima and minima prescribed in rules 208 and 209 shall be applied to leave salaries paid respectively in rupees and in sterling:

Provided that when a portion of the leave salary is paid in sterling, it should for the purpose of applying the rupee limits be converted into rupees at the official rate of exchange prescribed by Government.

Section VII

SPECIAL PROVISIONS

211. The Chief Judge, Small Causes Court, and the Administrator-General and Official Trustee, East Pakistan, are entitled to leave on the terms applicable to Judges of a High Court, subject to the following modifications, namely:

- (a) their leave salary shall not exceed, while on ordinary furlough or on subsidiary leave, half-average pay, and while on furlough on full allowance, average pay,; and
- (b) the Administrator-General and Official Trustee, East Pakistan, is entitled in lieu of the leave credited to the furlough account of a High Court Judge because of his having been detained on duty as a vacation Judge, to a credit in his leave account of a period equal to two-elevenths of the period of actual service performed.

Note—Modification (a) of this rule does not override the provisions of rule 16 of the High Court Judges' (India) Rules, 1922, or of paragraph 10 of the Government of India (High Court Judges) Order, 1937, as the case may be, which prescribe the amount of leave salary payable during leave, but is to operate in addition to those provisions.

212. The following law officers are entitled to leave under the Fundamental Rules applicable to members of the Pakistan Civil Service provided that their pay as Government servants is fixed at a definite rate and that their whole time is retained for the service of Government—

- (i) An Advocate-General.
- (ii) A Standing Counsel.
- (iii) An Official Trustee.
- (iv) A Secretary or Assistant Secretary in the Legislative Department of Government.
- (v) A Remembrancer, Deputy Remembrancer or Assistant Remembrancer of Legal Affairs.
- (vi) A Government Advocate or Assistant Government Advocate.
- (vii) A Government Solicitor.

213. The grant of leave to military officers in civil employ is regulated by the Fundamental Rules.

214. Unless Government in any case otherwise directs, the following provisions apply to Government servants placed on deputation in Europe or out of Pakistan under conditions declared by Government to be quasi-European, if the period of the deputation exceeds one year;:

- (a) the period of deputation shall not count as duty for the purposes of this chapter ;
- (b) the amount of leave which can be earned by the deputation shall be determined by Government. Such leave can only be taken during the period of deputation and will not be credited or debited in the Government servant's leave accounts. ;
- (c) leave salary during such leave shall be equal to the rate of deputation pay :

Provided that where a deputation originally sanctioned for one year of less is subsequently extended so that the total period exceeds one year, these provisions shall apply only in respect of the period in excess of one year.

215. Leave may be granted to any Government servant without a lien on a permanent post while officiating in a post or holding a temporary post:

Provided that the grant of the leave involves no expense to Government. On this condition such a Government servant may be granted—

- (a) leave on leave salary equivalent to average pay up to one-eleventh of the period spent on duty, subject to a maximum of four months at a time; or
- (b) on medical certificate, leave on leave salary equivalent to half-average pay for three months at any one time subject to the limit of 1/11th of duty; or
- (c) extraordinary leave for three months at any one time.

Note—Temporary Government servants who contract tuberculosis may be granted extraordinary leave up to a maximum period of twelve months on any one occasion:

Provided—

The post from which the Government servant proceeds on leave is likely to last till his return to duty;

The extraordinary leave shall be granted on the production of a certificate specifying the period for which leave is recommended, from the Medical Officer-in-charge of a Sanatorium or from a T.B. Specialist or a Civil Surgeon; and

In recommending leave the Medical Officer shall bear in mind the provision in Rule (7) under Appendix 8 to the East Pakistan Service Rules, Part I.

The different kinds of leave referred to in clauses (a), (b) and (c) of this rule are cumulative and not alternative.

216. In the case of a Government servant officiating in a permanent post or holding a temporary post in a vacation department, leave granted under clause (a) of rule 215 shall be on leave salary equivalent to half average pay ;

provided that such a Government servant may be granted, under that clause leave on leave salary equivalent to average pay to the extent of one month for each year of duty, in which he has not availed himself of any part of the vacation. If a part only of the vacation has been taken in any year the period of leave on average pay admissible under the above proviso will be reduced by a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.

217. If such a Government servant is, without interruption of duty, appointed substantively to a permanent post, his leave account will be credited with the amount of leave which he would have earned by his previous duty if he had performed it while holding a permanent post substantively and debited with the amount of leave actually taken under rule 215. Leave taken under rule 215 is not an interruption of duty for the purpose of this rule.

218. The officiating service of a Munsif prior to confirmation counts towards leave, whether such service is continuous or not.

219. The service of a re-employed pensioner should be regarded as temporary, and the grant of leave to him should be regulated by the rules applicable to temporary Government servants.

220. A Government servant on an establishment whose duties are not continuous, but are limited to certain periods in each year, may be granted the following leave during a period:

(a) Leave on medical certificate on half-average pay not exceeding one month, provided that if he remains absent on the date of re-employment of the establishment owing to illness, such leave may be extended by the authority appointing him two months in all.

(b) Extraordinary leave not exceeding one month.

Note—Temporary Government servants who contract tuberculosis may be granted extraordinary leave up to a maximum period of twelve months on any one occasion:

Provided—

the post from which the Government servant proceeds on leave is likely to last till his return to duty;

the extraordinary leave shall be granted on the production of a certificate, specifying the period for which leave is recommended, from the Medical Officer-in-charge of a Sanatorium or from a T.B. Specialist or a Civil Surgeon; and

in recommending leave the Medical Officer shall bear in mind the provision in rule (7) under Appendix 8 to the East Pakistan Service Rules, Part I.

221. Leave to Press servants, other than those on the fluctuating temporary establishment, paid under the piece-work system is regulated as follows:

(1)(a) Leave on full grade pay will be granted according to their service as shown below—

Length.	Leave admissible.
Less than 10 years	16 days in each calendar year.
10 years but less than 15 years	23 days in each calendar year.
15 years and above	31 days in each calendar year.

Note—In calculating the length of service for the purpose of this rule, the period of continuous service on the fluctuating piece establishment, extra-piece establishment as well as on the permanent piece establishment shall be taken into account.

(b) This leave will be non-cumulative, *i.e.*, any leave not taken during the year will lapse without any monetary compensation.

(c) Gazetted holidays and Sundays falling within a period of leave will count as leave. Other gazetted holidays actually enjoyed may at the option of the piece-worker, be counted against any leave admissible to him under clause (a), and, if so counted, will be paid for but Sundays intervening between such gazetted holidays as are counted against leave need not be treated as leave and paid for.

(d) Applications to count gazetted holidays or absences as leave on full-grade pay must be made before the close of the piece month in which the holidays or absences occur.

(e) The grant of leave under these rules is subject to the provision of rule 151. It may also be withheld from piece-workers who have been irregular in attendance.

(f) Full-grade pay shall not be allowed for gazetted holidays unless they are covered by the leave admissible under clause (a) and an application has been made that they should be counted as leave on full-grade pay. If no leave on full-grade pay is admissible the application, if supported by a medical certificate, should be dealt with under clause (a) of sub-rule (2).

(2)(a) Leave on medical certificate on half-grade pay will be earned at the rate of one month's leave for every complete period of eleven months' duty and as regards incomplete periods one day's leave for every 11 days' duty. It will be cumulative and will be granted only when no leave on full-grade pay is admissible. Any such leave in excess of three months at a time or any extension beyond three months should, however, be granted only on the production of a medical certificate from the Officer in chief medical charge of the district in which the piece-worker is residing.

Note—In calculating leave on medical certificate under rule 221 (2)(a) the actual number of days of duty performed should first be counted and then multiplied by 1/11th and the product expressed in days (and fraction of a day).

(b) Leave on medical certificate on half-grade pay shall be calculated from the date of appointment of the piece-worker, subject to the condition that no medical leave without allowances, granted prior to the 1st April, 1931, can be commuted to leave on medical certificate on half-grade pay.

(c) Leave without pay may be granted when no other leave is admissible.

(d) No continuous period of leave except leave without pay, shall exceed one year.

(e) Injury leave at half-grade pay may be granted from the commencement of disablement to all piece-workers who are injured in circumstances which would give rise to claims for compensation in the case of a workman as defined in the Workmen's Compensation Act, 1923. This leave shall be granted so long as is necessary, subject to a limit of two years for any one's disability and five years during a piece-workers' total service. It shall not be taken into account in calculating the limits laid down in clauses (a) and (d) of this sub-rule. Leave salary payable under this rule will in the case of a workman, to whom the Workmen's Compensation Act, 1923, applies, be reduced by the amount to compensation payable under clause (d) of sub-section (1) of section 4 of that Act.

(f) The special disability leave under rule 192 and the hospital leave admissible under rule 199 will not be admissible to workmen to whom the Workmen's Compensation Act, 1923, applies.

(3) (a) Piece-workers in whose houses there are cases of infectious diseases, such as small-pox, etc., should submit a medical certificate to this effect and obtain leave of absence from the office until another medical certificate can be produced showing that all danger of infection has ceased. Men in whose houses infectious diseases have occurred will, if they attend office, be liable to be suspended from work.

(b) Employees compelled under the above orders to absent themselves from office not on account of their own sickness but on account of the occurrence of infectious diseases in their houses, may be allowed casual leave for the period, not exceeding 30 days during which they are prevented from attending. Casual leave up to 30 days will also be admissible to Press employees returning from leave, who are detained in plague camps on their way to rejoin.

(c) During casual leave piece-workers will be remunerated at full-grade pay.

(d) If the period of absence exceeds 30 days, employees may be allowed leave with leave salary of any kind which may be due to them and thereafter leave without leave salary.

Note—Grade pay for the purpose of these rules is the minimum of the grade fixed under rules 36 and 37 of the Rules for the Management of the Printing Department, and corresponds to the average salary of the salaried establishment.

(4) Leave to piece-workers transferred to the salaried establishment shall be regulated as follows :

(a) When appointment to the post on the salaried establishment is substantive, the piece-worker shall earn leave under the rule applicable to such establishment and may carry forward the balance of unspent leave earned under clause (a) of sub-rule (2), half the period of such leave being credited to his leave account for leave on medical certificate.

(b) In all other cases of appointment, temporary or officiating, to the salaried establishment the piece-worker shall be governed by the provisions of sub-rules (1), (2) and (3) with the exception that clauses (c), (d) and (f) of sub-rule (1) shall not have any operation.

222. A section writer, if granted leave, is not entitled to any allowance during his absence.

223. (1) Piece-workers on the fluctuating temporary establishment will be paid at grade rates for 16 days (including the King's Birthday) each year to cover absence on account of holidays, sickness or leave, provided the worker has been in regular employment for the previous 12 months. "Regular employment" should be interpreted as not less than 90 per cent. of the required working hours, excluding the hours of gazetted holidays; regard, however, will be had to absence in case of sickness.

(2) A piece-worker on the fluctuating piece establishment on transfer to the salaried establishment or to the permanent or extra piece establishment during the course of the year will be paid at grade rates for the number of days

to be fixed with reference to the period of his service on the fluctuating piece establishment during that year ; provided he has been in regular employment for the whole period and will thereafter earn leave under the rules applicable to the establishment to which he is transferred.

224. (1) A labourer employed on daily wages in a workshop, when temporarily absent from work owing to injuries received while on duty, may be granted by Government full wages up to a maximum of six months.

(2) The authority under whom a labourer is directly employed may, in similar circumstances, sanction the grant of leave salary not exceeding Rs. 50, or one month's wages or the wages which the absentee would have earned during the period of leave if he had been present on duty, whichever of these is least.

Note—The limits prescribed above are to be regarded as inclusive of compensation under clause (d) of sub-section (1) of section 4 of the Workmen's Compensation Act, 1923, where that is payable.

225. The mill hands of Band Saw Mills may be granted leave on the full pay which they were drawing immediately prior to going on leave for seven days in all in any one year. Such leave is not cumulative.

226. (1) Model leave terms regulating the grant of leave to—

(i) Government servants of Asiatic domicile engaged on contract whether in Pakistan or abroad, and

(ii) Government servants of non-Asiatic domicile engaged on contract, but not specially recruited overseas for service in Pakistan,

are prescribed below :

Provided that, in the case of a Government servant engaged on contract prior to 4th May, '935, whose contract is renewed after that date (unless there be specific conditions to the contrary in his previous contract)—

(a) if he has been in Government service continuously since 21st July, 1931, his leave will continue to be regulated by the rules to which he was subject under the terms of his previous contract ; or

(b) if entered Government service after the 21st July, 1931, his leave during the extended contract will be regulated by the following provision in this clause, and he may be allowed to carry over as earned leave due, the balance of leave on average pay to his credit on the date of expiry of his previous contract subject to a maximum of 90 days.

(1) Where the contract is for one year or less earned leave admissible will be at one twenty second of the period spent on duty. Though ranking as earned leave this may be granted only on medical certificate and if subsequently it becomes necessary to grant the Government servant further leave after the earned leave has been exhausted leave on medical certificate may be granted to him subject to the condition that the total period of the two kinds of leave does not exceed 1/11th of the period spent on duty.

If the Government servant serves in a vacation department, earned leave will not be admissible but he may be granted if absolutely necessary leave on medical certificate to the extent of 1/22 of the period spent on duty.

(2) Where the contract is for more than one year but not more than five years leave on medical certificate may be allowed in addition to earned leave under sub-rule (d) of rule 168 subject to a maximum of four months in all during the period of contract. In addition extraordinary leave may be granted in special circumstances when no other leave is admissible subject to a total maximum limit of three months in respect of such leave.

If the Government servant serves in a vacation department earned leave will not be admissible.

(3) Where the contract is for a longer term than five years or an original contract for five years or less is extended so as to make the total period of contract longer than five years leave admissible to a permanent Government servant under the rules in section II of this chapter may be allowed subject to the restrictions that no leave on private affairs will be granted and that the leave on medical certificate will be limited to six months in all. In the case of extension of contract to a period longer than five years the Government servant will be credited with the earned leave that would have been admissible had the contract been initially one or more than five years diminished by any earned leave already taken and leave on medical certificate, if any, already taken will count against the six months' limit prescribed.

(4) Where the contract is for an indefinite period, or on original contract for a definite period is extended for an indefinite period, the leave rules for permanent Government servants in section II, except rule 175, will be made applicable. In the latter case the Government servant will be credited with the earned leave that would have been admissible had the contract been initially one for an indefinite period, diminished by any earned leave already taken and leave on medical certificate, if any, already taken, will count against the limit prescribed in rule 173.

(5) In the case of a Government servant falling under clauses (2) to (4) above, earned leave may be granted after the expiry of the contract only when it has been applied for during the period of the contract and refused owing to the exigencies of the public service. A Government servant whose services are dispensed with on grounds of ill health may be permitted to take all earned leave due to him before his service is terminated.

(6) The terms "earned leave", "leave on medical certificate" and "leave on private affairs" used in the above clauses have the same meaning as that assigned to them in section II of this chapter. The leave salary during leave taken under the above clauses will be regulated as follows :

- (i) A Government servant on earned leave is entitled to leave salary equal to his average pay.
- (ii) A Government servant on leave on private affairs or on medical certificate is entitled to leave salary equal to half his average pay subject in either case to a maximum of Rs. 750.

Note—Average pay means the average monthly pay earned during the 12 complete months preceding the month in which the event occurs which necessitates the calculation of average pay.

- (iii) A Government servant on extraordinary leave is not entitled to any leave salary.
- (iv) A Government servant initially engaged on contract becomes subject to the revised leave rules in section II of this chapter in their entirety on his being taken into permanent employment after the expiry of his contract. In such a case the Government servant will be credited with the earned leave that would have been admissible had his previous duty been duty as an officer in permanent employ diminished by any earned leave already taken, and leave on medical certificate if any already taken, will count against the limit prescribed in rule 173.

(II) The model leave terms published in the Government of India, Finance Department letter No. F.31-S.R. 24, C dated the 11th October, 1924, as subsequently modified, will continue to apply to Government servants of non-Asiatic domicile who are specially recruited overseas for service in Pakistan, until they are revised in accordance with the leave terms that may be prescribed in future for new entrants.

Note—The model leave rules referred to in sub-rule(II) are printed as Appendix No. 7.

227. Subject to rule 228, a law officer holding one of the posts mentioned in rule 212, if his pay is fixed at a definite rate, but his whole time is not retained for the service of Government may be granted leave as follows, it being permissible to combine leave under one clause with leave under any other clause :

- (a) Leave on full pay during the vacation of the High Court, provided that no extra expense is thereby caused to Government. Such leave will be counted as duty.
- (b) Leave on half pay for not more than six months once only in his service after six years of duty, provided that no extra expense is thereby caused to Government.
- (c) On medical certificate, leave on half pay up to a maximum of 20 months at any one time, provided that three years of duty must intervene between any two periods of leave on medical certificate, provided that no extra expense is thereby caused to Government.
- (d) On the conditions prescribed in rule 195, extraordinary leave.

228. Law Officers to whom, if they were whole-time Government servants, the rules in section II of this chapter would apply will be governed in respect of leave by rule 227, save that the grant to them of leave on medical certificate will be regulated as follows :

Leave on medical certificate may be allowed subject to a maximum of 12 months during the whole service, when the maximum period of 12 months is exhausted, further leave on medical certificate not exceeding 6 months in all may be granted in exceptional cases on the recommendation of a Medical Board. Leave on medical certificate may be granted without the restriction prescribed in clause (c) of rule 227 but is subject to the proviso that no extra expense is thereby caused to Government.

229. A Government Pleader or a Government Prosecutor is entitled to such leave of absence and to such leave salary when on leave, as the authority who appoints him think fit to grant, provided that no extra expense be caused to Government.

230. Any other part-time Government servant, whether permanent or temporary, may be granted leave under the same terms and conditions as temporary and officiating whole-time Government servants under rules 215 and 216 :

Provided that to such Government servant in superior service, to whom if he was a whole-time Government servant the rules in section II of this chapter would apply, leave in the following terms may be granted on condition that no extra expenditure is involved—

- (a) Leave on average pay up to one-twenty-second of the period spent on duty, provided that when such leave due amounts to 30 days the Government servant shall cease to earn such leave. Such leave is not admissible to a part-time Government servant serving in a vacation department.
- (b) On medical certificate, leave on half-average pay up to one thirtieth of the period spent on duty minus the amount of any such leave already taken.
- (c) Extraordinary leave not exceeding three months at any one time.
- (d) It is permissible to combine leave under one of the above clauses with leave under another clause.

231. A Government servant emunerated by fees may be granted leave on the terms laid down in rule 228, provided that he makes satisfactory arrangements for the performance of his duties, that no extra expense is caused to Government, and that during leave of the kind contemplated by clause (b) of rule 227, the whole of the fees are paid to the person who officiates in his post.

232. During their period of probation or apprenticeship, probationers and apprentices are entitled to leave as follows :

(i) If appointed under contract in the United Kingdom with a view to permanent service in Pakistan, or if appointed in the United Kingdom to posts created temporarily, with the prospect, more or less definite, of becoming permanent :

- (i) to such leave as is prescribed in their contracts, or when no such prescription is made ;
- (ii) (a) when the period of probation is not less than three years, to the same leave which would be admissible if they held permanent posts ;
or
- (b) when the period of probation is less than three years to leave on average pay up to one-eleventh of the period spent on duty, to which may be added, on medical certificate, leave on half average pay ; provided that the total leave granted under this clause shall not exceed three months reckoned in terms of leave on average pay ; and

(2) If appointed otherwise—

- (i) a probationer, to the leave admissible under the leave rules which would be applicable to him if he held his post substantively otherwise than on probation ;
- (ii) an apprentice, on medical certificate to leave on leave salary equivalent to half pay for a period not exceeding one month in any year of apprenticeship, and to extraordinary leave.

Note—Leave not due shall not be granted on medical certificate under clause (1)(ii)(b) for a period extending beyond the term of a Government servant's contract, unless or until it has been decided to retain him in permanent employment.

233. Only the following kinds of leave may be granted to members of the Lower Subordinate Service paid from contingencies :

- (a) Leave without any allowances.
- (b) Hospital leave under rule 199.
- (c) Casual leave subject to the general rules regarding the grant of such leave

233A. Leave to a Government servant who is recruited by this Government on or after 1st April, 1937 for employment in an establishment which is administered by this Government as an Agent of the Central Government by virtue of the entrustment of functions under sub-section (1) of section 124 for the Act, and the cost of which is paid directly by, or is recovered from the Central Government shall be governed by the rules of the Central Government:

Provided that Government servants so recruited and employed in such establishments, who on 6th January, 1944 were governed by the leave rules of this Government shall be entitled to elect to continue to be so governed. The option once exercised is final and no modification of it at a later date is permissible.

Section VIII

LEAVE PROCEDURE

234. The instructions issued by the Auditor-General in India under sub-rule (a) of Fundamental Rule 74 and the procedure prescribed by the Governor-General under sub-rule (b) of the said rule apply *mutatis mutandis* to grants of leave under these rules.

Note—1—The instructions issued by the Auditor-General under F.R.74(a) and the procedure prescribed by the Governor-General under F.R.74(b) are set out respectively in Appendix 8 to and Division XII of the Fundamental and Supplementary Rules made by the Governor-General (Compilation by the Government of Pakistan).

Note—2—Rules made by Government regulating leave procedure including the maintenances of records of service, are contained in Appendix No. 8.

CHAPTER XV-A
(AN APPENDAGE)

THE PRESCRIBED LEAVE RULES, 1959

(As amended up-to-date).

1. Short title, commencement and application—(1) These rules may be called the Prescribed Leave Rules, 1959.

(2) They shall come into force at once and shall be deemed to have taken effect on and from the first day of July 1959.

(3) They apply to all Government servants including those of non-Asiatic domicile under the rule-making control of the Provincial Government who entered service on or after the 1st July 1959 and to those who elect to be governed by them under rule 2, and when so applicable, shall be in substitution of the corresponding provisions of the East Pakistan Service Rules or of any other relevant rules.

2. Option—(1) Government servants who entered service before the 1st July 1959 may elect to continue to be governed by the existing leave rules applicable to them or to accept these rules.

(2) The option given by sub-rule (1) shall be exercised within a period of six months from the date of publication of these rules in the *Official Gazette* and communicated to the Accounts Officer concerned in the case of gazetted officers and to the Heads of the Offices in the case of non-gazetted staff and once so exercised shall be final.

(3) Government servants who do not exercise the option within the aforesaid period shall be deemed to have finally opted for the existing rules.

3. Leave on average pay and half-average pay—(1) **Permanent Government servants—**

(a) *Class IV Government servants—*(i) Class IV Government servants in permanent employ shall earn leave at the rate of 1/11th of the period spent on duty and the maximum that may be accumulated shall be four months. Any period earned in excess of four months shall be credited to a separate item in the leave account from which leave may be allowed on average pay on medical certificate or for the purpose of pilgrimage outside Pakistan, Burma, Ceylon and India.

(ii) The amount of leave on average pay that may be taken at one time shall not exceed four months. This limit may be raised to six months when leave in excess of four months is taken on medical certificate or for the purpose of pilgrimage outside Pakistan, Burma, Ceylon and India.

(iii) Leave on half-average pay shall be earned at the rate of 1/22nd of the period spent on duty and accumulation of such leave shall also be without limit. Such leave shall not be allowed except on medical certificate. It shall be permissible to convert leave on half-average pay into leave on average pay at the rate of one day of leave on average pay for two days of leave on half-average pay upto a maximum of six months on average pay.

- (b) *Government servants in Superior Service*—(i) Leave on average pay shall be earned at the rate of 1/11th of the period spent on duty and the maximum that may be accumulated shall be four months. Any period earned in excess of four months shall be credited to a separate item in the leave account from which leave may be allowed on average pay on medical certificate or for the purpose of pilgrimage, education or rest and recreation outside Pakistan, Burma, Ceylon and India.
- (ii) The amount of leave on average pay that may be taken at one time shall not exceed four months. This limit may be raised to six months when leave in excess of four months is taken on medical certificate or for the purpose of pilgrimage, education or rest and recreation outside Pakistan, Burma, Ceylon and India.
- (iii) Leave on half-average pay shall be earned at the rate of one-twelfth of the period spent on duty and accumulation of such leave shall be without limit. It shall be permissible to convert leave so allowed into leave on average pay on production of a medical certificate up to a maximum of 12 months on average pay. This conversion will be allowed at the rate of one day of leave on average pay for two days of leave on half-average pay.

(2) *Temporary Government servants*—(a) A temporary Government servant who had rendered three years or longer continuous temporary service on the 30th June 1959, shall for the purpose of these rules excepting rule 5 be treated as a Government servant in permanent employ and if he elects these rules shall be subject to the provisions of these rules with effect from the 1st July 1959.

(b) A temporary Government servant who had not completed three years on the 30th June 1959, or one who joined or may join Government service after that date shall be governed by the leave terms applicable to such Government servants on that date, but with effect from the date on which he completed three years, continuous temporary service or on which he is appointed substantively to a permanent post, which is earlier, he shall, for the purposes of leave, except that admissible under rule 5 be treated as a Government servant in permanent employ and his leave account at the same time shall be credited with the amount of leave which would have been admissible to him under these rules had he been in permanent employ from 1st July 1959 or if he joined service after that date from the date he joined service such credit being diminished by the amount of leave already taken.

4. *Carry forward of existing leave*—(a) In the case of a Government servant who elects these rules, leave on average pay or earned leave at his credit on the 1st July 1959, shall be carried forward and further accumulation shall be subject to limits mentioned in these rules.

(b) The leave account of the Government servant concerned shall be credited with leave on half-average pay earned in terms of rule 3(1)(a)(iii) or 3(1)(b)(iii) as the case may be, from the date of appointment in Government service less the amount of leave already enjoyed on half-average pay either with medical certificate or without medical certificate.

5. *Leave and due*—(1) Save in the case of leave preparatory to retirement, leave not due may be granted to a Government servant in permanent employ on half-average pay up to a maximum of twelve months during the whole service

if it is on medical certificate or three months during the whole service if it is not on medical certificate.

(2) When a Government servant in permanent employ returns from leave which was not due, no leave shall become due to him until the expiration of a fresh period spent on duty sufficient to earn a credit of leave equal to the period of leave which he took before it was due.

Note—Earning of leave referred to in clause (2) of this rule is the earning under rule 3(1)(4)(iii) or 3 (1)(b)(iii) as the case may be and has no connection with the leave on average pay.

6. Leave salary—(1) Subject to the maximum laid down in rule 208 of the East Pakistan Service Rules, Part I, leave salary during leave on average pay shall be calculated on the basis of the average pay drawn during the twelve complete months preceding the month in which the leave is taken, or the pay the Government servant was drawing before proceeding on leave whichever is more favourable.

(2) Leave salary during leave on half-average pay shall be equal to half average pay calculated under sub-rule (1).

(3) Government servants shall draw their leave salary in Pakistan currency in Pakistan irrespective of the country where they spend their leave.

Note—The restriction imposed under sub-rule (3) shall not, however, apply in the case of study leave granted under Appendix No. 5 of the East Pakistan Services Rules, Part 1, and also to Government servants who entered service before the 29th January 1959.

7. Maximum leave permissible at a time—The maximum amount of leave that may be taken at one time shall be one year but if supported by a medical certificate it may be extended to two years.

8. Government servants in Vacation Department—(1) (a) Leave on average pay shall not be permissible to a Government servant in permanent employ serving in a Vacation Department in respect of duty performed in any year in which he avails himself of the full vacation.

(b) Leave on average pay to such a Government servant in respect of any year in which he is prevented from availing himself of the full vacation shall be such proportion of thirty days if he is a Government servant in superior service of fifteen days if he is in Class IV service, as the number of days of vacation not taken bears to the full vacation.

(c) If in any year such a Government servant does not avail himself of the vacation, leave on average pay shall be permissible to him in respect of that year as if he was in a non-Vacation Department.

(d) Such Government servants shall be entitled to earn and avail themselves of leave on half-average pay like other Government servants.

(2) A Government servant in Vacation Department who is not in permanent employ shall continue to be governed by the leave terms applicable to such Government servants on the 30th June 1959 but with effect from the date on which he completes 3 years continuous temporary service or on which he is appointed substantively to a permanent post, whichever is earlier, he shall for purposes of leave, except that admissible under rule 5, be treated as a Government servant in permanent employ, and his leave account at the same time

shall be credited with the amount of leave which would have been admissible to him had he been in permanent employ in a Vacation Department from the date he joined temporary service, such credit being diminished by the amount of leave already taken.

9. Other provisions—(1) The existing provisions for sick leave, maternity leave, hospital leave, quarantine leave, special disability leave and study leave shall be continued.

(2) Officers on contract shall continue to be governed in accordance with such terms for the grant of leave to Government servants engaged on contract as may be applicable to them.

(3)(1) Extraordinary leave for which no leave salary is admissible may be granted to any Government servant in special circumstances—

(a) When no other leave is by rule admissible, or

(b) When other leave is admissible but the Government servant concerned applies in writing for the grant of extraordinary leave.

(2)(a) Except in the case of a Government servant in permanent employ, the duration of extraordinary leave shall not exceed three months on any one occasion:

Provided that this restriction shall not apply in the case of a Government servant not in permanent employ who is permitted to undergo training abroad after executing a bond to serve Government for a period of five years and also in the case of such a Government servant who has rendered continuous service for at least three years and who is permitted to undergo training or study within Pakistan after executing a similar bond; and

Provided further that in case of absence on account of prolonged illness extraordinary leave may be granted to a temporary Government servant up to a maximum period of six months on production of a medical certificate.

(b) Temporary Government servants who contract tuberculosis may be granted extraordinary leave up to a maximum of twelve months on any one occasion, provided—

The post from which the Government servant proceeds on leave is likely to last till he returns to duty.

The extraordinary leave shall be granted on the production of a certificate specifying the period for which the leave is recommended, from the Medical Officer-in-charge of a sanatorium or from a T.B. Specialist or a Civil Surgeon.

In recommending leave the Medical Officer shall bear in mind the provision in rule (7) under Appendix No. 8 of the East Pakistan Service Rules, Part I.

(3) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

10. (1) Leave at the credit of a Government servant in his leave account shall lapse on the date on which he must compulsorily retire provided that if at least three months before the date of commencement of the leave he has—

- (a) formally applied for leave, and been refused it, or
- (b) Ascertained in writing from the sanctioning authority that leave if applied for would not be granted,

in either case the ground of refusal being the exigencies of the public service, then the Government servant may be granted after the date of retirement the whole or any portion of the leave so refused subject to a maximum of four months by the authority empowered to grant it.

(2) A Government servant retained in service after the date of compulsory retirement shall earn leave on average pay at the rate of one-eleventh of duty performed after that date and shall be allowed to add thereto any amount of leave which could have been granted to him under sub-rule (1) had he retired on that date. The total period which he may take on each occasion shall not exceed four months.

When his duties finally cease, the Government servant may be granted leave preparatory to retirement, up to a maximum of four months as follows:

- (i) the balance after deducting the amounts of leave, if any, taken during period of extension from the amount of leave which could have been granted to him under clause (1) had he retired on the date of compulsory retirement, *plus*
 - (ii) the amount of leave earned under this clause which is due to the Government servant and which he has, at least three months before the date of termination of the period of extension—
- (1) formally applied for and been refused, or
 - (2) ascertain in writing from the sanctioning authority, would not granted, if applied for,

in either case the ground of refusal being the exigencies of the public service.

Note 1 This rule simply limits the amount of leave that may be granted to Government servants who have reached or are about to reach the date on which they are required to retire. The kind of leave and the leave salary are determined not by this rule, but by the general rules in rules 3 and 7.

Note 2—The proper test in applying this rule is whether it would be more convenient on general administrative grounds for a Government servant to take leave before or after the age of superannuation, and Government servants should be wanted that the rule is intended to apply only in case in which a Government servant with leave due to him has applied for leave at least three months before the commencement of the leave and his application has been refused owing to the exigencies of the public service, and that is not intended to apply so as to enable a Government servant at his own option to take leave after, instead of before the date of retirement.

Note 3—The period of four months mentioned in this rule includes any period of vacation with which leave is combined.

Note 4—A deduction should be made under sub-rule (2) on account of vacation enjoyed.

Note 5—This rule does not operate in the case a clerical Government servant between the ages of 55 and 60 or in the case of a member of the lower subordinate service between the ages of 60 and 65, unless an order is passed requiring him to retire.

Note 6—The leave earned by the period of duty intervening between the refusal of leave pending retirement and the date of compulsory retirement is merged in the common pool in the leave account and forms an indistinguishable part of the total leave at credit the whole of which, with the exception only of the net amount of leave refused, lapses under clause (1) of the rule 10 on the date of compulsory retirement. The grant of any leave between the date from which the "refusal of leave" took effect and the date of superannuation should therefore, be held to be a grant of leave against the amount originally refused. The amount of leave admissible under clause (1) after superannuation in such a case is, therefore, the amount of leave originally refused minus the amount of the "post-refusal" leave enjoyed; and this difference is subject to a maximum of four months. The principle applies equally to leave available under clause (2) including that earned in respect of duty during a period of refused leave.

11. Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave under these rules.

12. All other rules regulating the general conditions of granting leave as set out in section I and leave procedure in section VIII of chapter XV of the East Pakistan Service Rules, Part I, so far as they are not inconsistent with or repugnant to, these rules, will continue to apply in all cases.

CHAPTER XVI

OCCUPATION OF GOVERNMENT RESIDENCES

235. A building owned or leased by Government or a portion thereof may, by general or special order of Government, be allotted as a residence to the incumbent of any post.

236. The holder, whether permanent or temporary, of a post to the incumbent of which a building, owned or leased by Government, has been allotted as a residence, shall be liable to pay during the period he is holding the post, whether he occupies the building or not—

- (i) rent at the rate prescribed in rule 238;
- (ii) if his monthly emoluments exceeds Rs.150, municipal and other rates and taxes payable by Government in respect of the residence, not being in the nature of house or property tax;
- (iii) meter hire, when charged separately, and the cost of water, electrical energy *et cetera* consumed; and
- (iv) if the residence is supplied with services, other than water supply, sanitary or electrical installations and fittings, such as furniture tennis court or garden, maintained at the cost of Government, such additional rent or charge therefor as Government may determine without taking into consideration the value of the site.

Note—Government have from time to time exempted certain officers from the payment of the occupier's share of the taxes on residences which they are compelled to occupy solely for the proper performance of their duties. These exemption will remain in force so long as these officers hold the posts on exactly similar posts to which the exemptions apply.

237. With the specific sanction of Government in each case, an officer may be exempted wholly or in part from any or all of the liabilities enumerated in rule 236 in any of the following circumstances, namely:—

- (a) when he is officiating in the post, but is discharging the duties thereof in addition to those of his substantive post, and does not actually occupy the residence;
- (b) when in addition to the duties of the post, he discharges those of another post and is thereby precluded from occupying the residence;
- (c) when he has been transferred from another post in the same station, and Government do not consider it necessary that he should change his residence;
- (d) if he habitually lives in Pakistan style, when the residence has been constructed in European style, or if he is a European Officer, when the residence has been constructed in Pakistan style;
- (e) when he officiates in the post for a period not exceeding two months and is prevented from actually occupying the residence by circumstances which Government consider exceptional; and

- (f) when by reason of the necessity for living at or near his place of duty or for other special reasons, Government grant him the concession of reduced rent or rent-free quarters:

Provided that in cases covered by clause (f) the grant of the concession shall be subject to review by Government every five years.

Note 1—The grant of rent-free quarters under this rule does not in the absence of explicit order to that effect imply any exemption from the liabilities under clauses (i), (iii) and (iv) of rule 236.

Note 2—When an officers officiates or acts temporarily in a post carrying with it the privilege of a rent-free but does not actually occupy that house, he shall not be entitled to any remission in respect of the rent of his own quarters in which he chooses to live.

238. (1) The rent payable by an officer under clause (i) of rule 236 shall be the standard rent of the residence as determined under the rules in section B of the schedule to this chapter or 7½ per centum (3½ per centum in the case of an officer whose monthly emoluments are Rs. 150 or less) of his monthly emoluments, whichever is less:

Provided that the above percentage of emoluments may be exceeded in the case of an officer—

- (a) who is not required or permitted to reside on duty at the station at which the residence is allotted to him; or
- (b) who, at his own request, is provided with accommodation which is better than that which is deemed by Government to appropriate to the status of the post held by him.

(2) The following rates of rent have been fixed or the Members of the Lower Subordinate Services occupying Government quarters:—

- (a) Single accommodation in barracks—Re. 1 per month,
- (b) Family accommodation in barracks—Rs. 2.50 per month, and
- (c) Government quarters other than in barracks—3½ per centum of the emoluments subject to a minimum of Rs. 2.50.

The above rates are exclusive of electric and other charges.

(3) Seat rent for single accommodation in the Dormitory Buildings in Dacca has been fixed as follows:—

for officers other than Class IV—Rs. 4.00 per month;

for Class IV officer—Rs. 2.50 per month.

The above rates are inclusive of electric and municipal charges but exclusive of the WASA charges.

239. (*Transferred to Chapter II*).

240. Supplementary rules regulating the occupation of Government residence by Government servants are contained in the schedule to this chapter.

241. The rules in this chapter and the schedule do not apply to Government residences the occupation of which is regulated by special provisions (e.g., the accommodation provided in Circuit Houses, etc.).

THE SCHEDULE

SECTION A—GENERAL PROVISIONS REGARDING THE OCCUPATION OF GOVERNMENT RESIDENCES.

1. The scale of accommodation supplied to an officer shall not, except at his own request, exceed that which is appropriate to the status of his post.

2. An officer to whom a residence has been allotted shall continue to be liable for rent *et cetera* under rule 236 while absent on tour, on casual leave or vacation, or at a hill station where he is permitted but not required to reside, but he shall not be so liable, unless Government for special reasons directs otherwise, when on leave other than casual leave.

3. An officer liable under rule 236 for rent *et cetera* may sublet the residence on the following conditions, namely:—

- (a) the sub-tenancy shall not be recognised by Government;
- (b) the lessee shall be approved by the Superintending Engineer, or when the residence is not in the charge of the Department of Communications and Buildings, by the Head of the Department;
- (c) the lessor shall remain personally liable for the rent *et cetera* and for any damage caused to the residence beyond fair wear and tear;
- (d) the amount received by the lessor from the lessee shall not, without the previous sanction of Government, exceed the lessor's liability under rule 236;
- (e) when the lessor ceases to hold the post to the incumbent of which the residence is allotted, or if Government re-allots the residence, the tenancy shall terminate forthwith;
- (f) the lessee shall undertake to the satisfaction of the Superintending Engineer or the Head of the Department, as the case may be, to vacate the residence immediately on the tenancy being terminated under clause (e); and
- (g) if the sub-tenancy is permitted by the Superintending Engineer or the Head of the Department, as the case may be, to continue during the leave of the lessor, the lessor shall, notwithstanding anything contained in rule 2 of this schedule, continue to be liable under rule 236 in respect of the residence.

4. An officer may be permitted by the Superintending Engineer, or when the residence is not in the charge of the Department of Communication and Buildings, by the Head of the Department, to store during absence on the leave his furniture and other belongings at his own risk, free of rent, in the residence occupied by him prior to such absence, provided that (a) the officer (if any) who discharges the absent officer's duties does not require the residence and is not held liable for the rent, and (b) arrangements cannot be made to lease the house during the period.

SECTION B—DETERMINATION OF STANDARD RENT

Part I—Government owned residences.

5. In calculating however the capital cost of a residence owned by Government, the cost or value of sanitary, water-supply and electrical installations and fittings shall be included therein, but the cost or value of the site (including expenditure on its preparation) together with either (a) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work, or (b) when the amount of such charges is not known, the estimated amount of such charges, shall be excluded therefrom.

6. For the purpose of rule 5 of this schedule—

(1) the following shall be regarded as fittings, namely:—

(i) Electrical fittings—

- (a) lamps of all kinds (excluding bulbs);
- (b) fans, including switches and regulators, the hire of which is not charged separately;
- (c) meters, the hire of which is not charged separately.

(ii) Sanitary and water-supply fittings—

- (a) plumbing arrangements for hot water-supply (but not geysers or similar apparatus for heating);
- (b) baths, basins and lavatory equipment;
- (c) gas and water meters, the hire of which is not charged separately.

(2) expenditure incurred upon such works as raising, levelling, piling and clearing sites and the construction of revetments shall be regarded as expenditure on preparation of the site.

Note—The intention of clause (1) is that only those articles which form an integral part of the installations shall be regarded as fittings. Such fittings are not necessarily fixtures e.g., movable electric lamps and fans are fittings: on the other hand, fixtures do not necessarily fall under heads unless they are connected with the supply in question. The basins and baths referred to in the rule mean only fixed lavatory or washing basins and baths of the type generally known as English baths.

7. The capital cost of a residence owned by Government shall be either the cost of acquiring or constructing the residence (including its subsidiary building) and any capital expenditure incurred upon it thereafter, or when this is not known the present value of the residence:

Provided that where on the authority of Government for special reasons recorded, residences of a specified class or classes within a specified area are revalued, the capital cost of any or all such residences as Government may determine, shall be revised on the basis of such revaluation.

Provided further that the cost of restoration or special repairs shall not be added to the capital cost or present value, unless such restoration or special repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

8. The annual standard rent shall be calculated on the capital cost of the residence and shall be either—

(a) a percentage of such capital cost equal to such rate of interest as may from time to time be fixed by Government, *plus* additions—

(i) equal to the municipal and other rates and taxes in the nature of house or property tax payable by Government in respect of the residence: and

(ii) for both ordinary and special maintenance and repairs, as determined under rule 9 of this schedule; or

(b) six per centum per annum of such capital cost whichever is less.

Note—The rates of interest fixed by Government for the purpose of this rule are shown in the table below. The date of construction of the residence or of the execution of additions or alterations should be taken as the date on which the accounts of the estimates for construction, addition or alteration, as the case may be, are closed:—

Date of acquisition or construction of the residence, or of the execution of additions or alterations thereto.

Rate of interest :

	Buildings occupied—	
	On or before 19th June 1922.	After 19th June 1922.
	per cent.	per cent.
Before 1st April 1919	3½	4
1st April 1919 to 31st July 1921	3½	5
1st August 1921 to 31st December 1921.	3½	6
1st January 1922 until further orders	6	6

9. The addition to be made under clause (a) (ii) of rule 8 of this schedule shall be the amount estimated by the Superintending Engineer to be the probable cost of the maintenance and repairs of the residence (including sanitary, water-supply and electrical installations and fittings), or, if no such estimate has been made, a percentage of the capital cost to be fixed by Government and based on the average proportion which the amounts actually charged for such maintenance and repairs in respect of residences of similar design and with similar conveniences in the same locality bear to the capital cost of such residences.

10. The additions to be made under clause (a) of rule 8 of this schedule shall be reviewed by the competent authority every seven years, and on such other occasions as Government may order.

11. When the standard rent of a residence has been calculated, minor additions and alterations may be made without the rent of the residence being increased, subject to the following conditions, namely—

(a) the total cost of such additions and alterations shall not exceed 5 per cent. of the capital cost on which the standard rent was last calculated; and

(b) such additions and alterations shall be made within seven years after the last calculation of the standard rent.

12. When, by reason of additions and alterations the capital cost of a residence exceeds by more than 5 per cent the capital cost on which the standard rent was last calculated, the standard rent shall be recalculated with effect from the 1st April next following or from the date upon which a new tenant becomes liable for the payment of rent, whichever is earlier.

13. Under special orders of Government the annual standard rent of a residence owned by Government may be reduced when Government is satisfied that as determined under the above rules, it is greatly out of proportion to the proper value of the accommodation provided.

Part III—General Provisions.

14. The annual standard rent of a residence leased by Government shall be the sum paid annually to the lessor *plus* the following additions to meet charges which fall on Government during the period of lease, namely:—

- (i) for meeting such charges for both ordinary and special maintenance and repairs, the estimated cost thereof (including maintenance and repairs of any additional work done at Government expense);
- (ii) for meeting such charges for capital expenditure on additions or alterations and for the interest thereon, the amount estimated to be sufficient to repay to Government during the period of lease such charges, or such part thereof as the lessor may not have agreed to reimburse to Government, *plus* interest on half the sum of such charges and the amount (if any) to be reimbursed by the lessor, calculated at the rate fixed under clause (a) of rule 8 of this schedule; and
- (iii) the annual amount of municipal and other rates and taxes in the nature of house or property tax payable in respect of the residence unless such amount has been included in the sum paid to the lessor.

Part III—General Provisions.

15. The rules in this part and in section C are applicable so far as may be both to owned and leased residences.

16. Standard rent shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual standard rent as calculated under Part I or Part II of this section of the schedule, as the case may be.

17. In calculating the annual standard rent of a residence the additions for both ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges except to the extent authorised by rule 5 of this schedule.

18. After annual standard rents have been calculated, a number of residences in a particular area or of a particular class or classes may at the discretion of Government be grouped together for purpose of assessment of standard rent:

Provided—

- (a) that the basis of assessment is uniform; and

- (b) that the amount taken as rent from any Government servant shall not exceed the limits imposed by rule 238.

19. Under special orders of Government the standard rent may be reduced by a specified proportion when a portion of the residence must be set aside by the occupier for the reception of persons visiting him on Government business, or as an office when no separate office accommodation is provided.

20. Where—

- (a) the present value of a residence including its subsidiary buildings and of its site is to be determined, or
- (b) a revaluation authorised by Government under the first proviso to rule 7 of this schedule is to be made, or
- (c) an estimate is to be prepared under any of the provisions of this schedule,

the work of estimating shall be entrusted to an Officer of the Department of Communications and Buildings of rank not lower than that of an Executive Engineer, nominated in that behalf by the competent authority. The estimate shall be forwarded to the competent authority for determination of the present value or the standard rent or the capital cost, as the case may be.

21. For the purposes of this schedule—

- (i) "competent authority" means in the case of residences in the charge of the Department of Communications and Buildings, the Superintending Engineer of the Circle or the Estate Officer of that Department (except in relation to matters connected with electrical installations, when it means the Executive Engineer, Electrical Division); in other cases it means the Administrative Department of Government concerned;
- (ii) "ordinary repairs" shall include repairs executed annually or periodically, but shall not include special repairs;
- (iii) "special repairs" shall include renewal of floors and roofs and other replacements recurring at long intervals;
- (iv) the cost or probable cost of repairs necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other natural calamity shall not be taken into account.

SECTION C—ADDITIONS TO RENT

22. (1) Where a residence is supplied by Government with a metered supply of electrical energy or water, the charges leviable under clause (iii) of rule 236 shall be determined in accordance with the following principles, namely:—

- (a) the charges shall be calculated on the number of units consumed each month as indicated by the meters.

- (b) the rate of cost per unit shall be fixed by the competent authority so as to include the amounts required for payment of—
- (i) interest at the rate fixed from time to time by Government on the capital outlay incurred on the system up to the point of contact with the internal installation;
 - (ii) depreciation and maintenance charges on the capital assets (excluding internal installations of residences);
 - (iii) actual running expenses; and
 - (iv) such extra charges including overhead charges as Government may deem reasonable;
- (c) rent for meters shall be charges monthly for the period of actual use, broken periods being treated as a whole month, at a fixed rate which shall be one-twelfth of the amount annually required for the payment of—
- (i) interest at the rate fixed from time time by Government on the capital cost of the meters; and
 - (ii) depreciation and maintenance charges thereon;
- (d) if the capital outlay or cost referred to in clause (b) or (c) be not known, it shall be estimated.
- (2) Where the supply by Government of electrical energy or water is un-metered, the charges leviable under clause (iii) of rule 236 shall be at such rates as the competent authority deems reasonable, regard being had to the factors mentioned in clause (b) of sub-rule(1).
- (3) Subject to the condition that the basis of assessment is uniform, the competent authority may for the purpose of assessment of charges for the supply by Government of electrical energy or water and meters therefor, group a number of residences in a particular area or of a particular class or classes.
23. Where a building is used partly as a residence and partly as an office or the like, if the residential portion is not separately assessed to rates and taxes, not being in the nature of house or property tax, the total of such rates and taxes in respect of the building shall be apportioned between the residential and other portions by the Chief Engineer, Communications and Buildings, or where the building is not in the charge of the Department of Communications and Buildings, by the Head of the Department concerned in consultation with him.

CHAPTER XVII

PENSION—GENERAL RULES

SECTION I—EXTENT OF APPLICATION

242. Every pension shall be held to have been granted subject to the conditions contained in Chapter XXIII.

243. [Omitted.]

244. (1) The rules 291, 352 and 354 apply to officers (other than Military Officers and members of the Civil Service of Pakistan) appointed to the services or the appointments specified below who—

(a) joined their appointments after 29th August, 1919 or

(b) were in service on 29th August, 1919, but have definitely elected in writing with the permission of Government to come under them.

N.B.—Officers who were appointed in England during the 1919 should for the purpose of this rule, be treated as in service on the 29th August, 1919, even if they joined their appointments after that date.

These rules in the case of officers subject to them replace rules 341, 351(b), 353 :—

The Agricultural Department—Provincial Services.

The Animal Husbandry Department—Officers of and above the rank of Deputy Directors.

The Educational Department—Provincial Services.

Inspectors of Factory and Boiler Inspection Departments and of the Smoke Nuisances Department in East Pakistan.

The Forest Department—Provincial Officers of and above the rank of extra Assistant Conservator, Forest Engineering Service.

The Provincial Civil Service—Executive and Judicial.

The Medical Department—Civil Surgeons and Civil Assistant, Professors of Medical Colleges and Chemical Examiners.

The Police Department—Provincial Services.

The Communications, Buildings and Irrigation Department—Officers of the Provincial Engineering Services.

The Registration Department—Officers of or above the rank of District Registrar.

The Excise Department—Officers of and above the rank of Superintendent.

The Jail Department—Officers of and above the rank of Superintendent.

Director of Statistics.

Superintendent of Printing, Government Press.

The Government Examiner of Questioned Documents

Deputy Registrar for the Appellate side of the Dacca High Court.

Registrar, Official Referee and Master, Registrar in Insolvency, Deputy Registrar and Assistant Master and Referee, on the Original Side of the Dacca High Court.

Judges of the Small Causes Court.

Registrar of Joint Stock Companies.

Chemical Examiner for Customs and Excise, Dacca.

Assistant Secretary to the Government of East Pakistan (other than the members of East Pakistan Civil Service) and Registrars of the East Pakistan Secretariat.

First and Second Assistant Secretaries to the Government of East Pakistan, Legislative Department, and Assistant Secretaries to the East Pakistan Legislative Assembly.

Agricultural Engineers in pensionable service.

Any other officer eligible for an additional pension under rule 354.

Secretary to the Chief Justice, Dacca High Court.

Assistant Government Examiner of Questioned Documents.

(2) Government may include in the list in clause (1) any gazetted services or appointments the duties of which are so important that they cannot be regarded as subordinate.

Note—An officer who does not hold substantively one of the appointments mentioned above, but who by rendering officiating service counting as effective service in one of the appointments included in the schedule appended to rule 354, becomes eligible for an additional pension, is entitled to the benefits of this rule, provided, in the case of officers who were in service on 29th August 1919, they have definitely elected the rules referred to in the preamble of the rule.

245. The pensions of all other officers are regulated by the rules in Chapters XVII to XXIII: Provided that it is open to Government to rule that the service of any class of officers serving under it does not qualify for pension—

- (1) Service in Dak and Staging Bungalow and District Garden Establishments does not qualify.
- (2) The service of a Patwari, whether appointed before or after the abolition of the Patwari or Village Officers' Cesses and Funds, does not qualify in any case in which it did not qualify prior to that abolition.

246. Future good conduct is an implied condition of every grant of a pension. Government reserve to themselves the right of withholding or withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or be guilty of grave misconduct.

The decision of Government on any question of withholding or withdrawing the whole or any part of a pension under this rule shall be final and conclusive.

Note 1.—Power given in this rule to withhold or withdraw a pension or any part of it, if the pensioner is guilty of grave misconduct, shall not be exercised until an opportunity has been given to the pensioner to explain his conduct verbally or in writing.

247. The Governor reserves to himself the right to order the recovery from the pension of an officer who entered service on or after 23rd February, 1939 of any amount on account of losses found in judicial or departmental proceedings to have been caused to Government by the negligence or fraud of such officer during his service:

Provided that—

- (1) such departmental proceedings, if not instituted while the officer was on duty,—
 - (i) shall not be instituted save with sanction of the Governor;
 - (ii) shall be instituted before the officer's retirement from service or within a year from the date on which he was last on duty whichever is later;
 - (iii) shall be in respect of an event which took place not more than one year before the date on which the officer was last on duty; and
 - (iv) shall be conducted by such authority and in such places whether in Pakistan or elsewhere, as the Governor may direct;
- (2) all such departmental proceedings shall be conducted, if the officer concerned so requests in accordance with the procedure applicable to departmental proceedings on which an order of dismissal from service may be made; and
- (3) such judicial proceedings, if not instituted while the officer was on duty, shall have been instituted in accordance with sub-clauses (ii) and (iii) of clause (1).

SECTION II—CASES IN WHICH CLAIMS ARE INADMISSIBLE

248. In the following cases no claim to pension is admitted—

- (a) When an officer is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged.
- (b) When a person is employed temporarily on monthly wages without specified limit of time or duty; but a month's notice of discharge should be given to such a person, and his wages must be paid for any period by which such notice falls short of a month.

- (c) When a person's whole time is not retained for the public service, but he is merely paid for work done for the State.

This clause applies, among others, to the following officers—

Advocate-General, solicitor to Government, Government Pleaders and Law Officers not debarred from private practice.

- (d) When a public servant holds some other pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a Local Allowance.
- (e) When an Officer serves under a covenant which contains no stipulation regarding pension, unless Government specially authorise an officer to count such service towards pension.

Note—[Secretary of State's Despatch No. 255, dated the 26th July, 1877—“I have considered in Council your Financial letter, dated the 4th June last, No. 155, regarding the insertion, in contracts with mechanics and others engaged in England for service in India, of a clause stipulating that their service under covenant shall, if the Government of India think fit to re-engage them, count as service towards leave and pension under (ordinary) rules.

“Your Government are of opinion that the arrangement should apply to all such person engaged under covenant or contract in England for the public service in India under all circumstances, and for all Departments, and you express a desire that the covenants should be carefully worded, so as to preserve inviolate the indefeasible right of the Government to modify either leave or Pension Rules from time to time, as it stood at their discretion so that no claims may arise to the benefits of either Code of Rules as it stood at the date when any particular covenant was executed.

“Covenants with mechanics and others engaged for service in India will accordingly in future be prepared containing provisions to the effect recommended by your Government”]

Misconduct or Inefficiency.

249. No pension may be granted to an officer dismissed or removed for misconduct, insolvency or inefficiency; but to officers so dismissed or removed compassionate allowances may be granted when they are deserving of special consideration; provided that the allowance granted to any officer shall not exceed two-thirds of the pension which would have been admissible to him if he had retired on medical certificate.

Claims of Widow.

250. (a) It being the duty of every Government officer himself to provide for his family, the Government recognises no claim by a widow on account of the services of her husband, and is almost invariably under the painful necessity of rejecting recommendations made in contravention of this rule.

(b) The submission of such recommendations, save under very extraordinary circumstances, is disapproved, as calculated only to give rise to hopes which cannot be fulfilled.

Note 1—In a Despatch No. 36, dated the 17th November, 1841, regarding the establishment of the Bengal Uncovenanted Service Family Pension Fund, the Court of Directors observed: “In referring to the causes which may have operated to keep back subscribers, the Directors advert to a reliance supposed to be placed on the special exercise of our

bounty in favour of the families of deceased servants. Whether or not such reliance have any effect in discouraging subscriptions to the Fund, it is most important to the interest of the families of our Uncovenanted Servants that it should not be indulged. In our Despatch, dated the 16th October, 1839, No. 31, we called your attention to the fact that the rules restricted the grant of pension of the family, or any member of the family, of a deceased servant, to cases where the servant shall have been killed in the exercise of his public in duty, or shall have died in consequence of wounds or accidents sustained therein, except in special cases justifying extraordinary indulgence, and which are of very rare occurrence. The belief, therefore, that the fact of the person dying in our service gives his family a claim to pensionary provision (if such belief exist), is a delusion which may be productive of very painful consequences, and which for this reason, we feel it an imperative duty to endeavour to dispel. We observe that the Committee of the Fund have taken some pains to make our views on the point generally known; and in thus acting, they have contributed not only to promote the interest of the Fund, but to render valuable service to their brethren by disabusing their minds of a dangerous error."

Note 2—In a Despatch No. 52, dated the 8th February, 1870, the Secretary of State remarked that "grave objections exist to the grant of special pensions to the families of Uncovenanted Servants, every such grant forming a precedent which is quoted in support of subsequent applications, with less claims to consideration".

Limitations.

251. (a) An officer cannot earn two pensions in the same office at the same time, or by the same continuous service.

(b) Two officers may not simultaneously count service in respect of the same office.

252. (a) Service rendered by an employee belonging to one of the classes mentioned in Note 2 below, after attaining the age of 20 years, which is pensionable under military rules but which terminates before a pension has been earned in respect of it, may, at the discretion of Government be allowed to count, when followed by service qualifying for pension under civil rules, as part of such service, provided that any bonus or gratuity received in lieu of pension on, or since, discharge from military service shall be refunded in such number of monthly instalments, not normally exceeding 36 and beginning from such date, as in each case Government may decide. Service so allowed to count shall, however, be restricted to service within or outside the employees' unit or department, in Pakistan, India or elsewhere, which has been paid for from Pakistan and Indian revenues or for which a pensionary contribution has been received by general revenues.

(b) Service pensionable under military rules which does not terminate before a pension has been earned in respect of it shall not be allowed to count for pension under civil rules without the sanction of the Government of Pakistan.

N.B.—The term "military service" may be held to include service in the Navy and the Air Force as well.

Note 1—An officer, ex-soldier or ex-airman will not be brought under the operation of this rule as a matter of course. Each case will be decided on its merits, e.g., there may be cases in which it may be open to a claimant for pension to add military service during the Great War to former non-pensionable service in the Army in order to claim the benefit of a military pension. In such cases it may be to the advantage of the claimant that he should not be brought under the operation of this rule. The bearing of paragraph 574 of the pay and Allowance Regulations of the Army in India, Part II, on the position of soldiers of the Indian Army who re-entered during the Great War deserves consideration in this connection.

Note 2—This rule applies to Pakistan commissioned officers, non-commissioned officers and men of the Pakistan Army (and of the Frontier Constabulary and Militias), and to non-combatant departmental and regimental employees and followers of the supplemental services. It also applies to warrant and non-commissioned officers and men of the British Service, and to warrant officers and departmental officers of the commissary and assistant surgeon classes.

Note 3—To be eligible for the concession in this rule, the individual concerned should take his discharge from the Army or Royal Pakistan Air Force within 12 months of the date of his confirmation in the appointment pensionable under civil rules. This limit may, in special cases be relaxed by Government.

Note 4—Employees in the Military Police have the option of counting service under any other rules which would give them a similar or more liberal concession.

Note 5—Employees who were in service in an appointment pensionable under civil rules on the 22nd February 1921 are eligible to count service under the rules which were in force before that date, where these rules are more advantageous to them.

253. For the purpose of the foregoing rule, service as private or in any higher combatant rank shall be treated as superior if followed by superior service in an appointment pensionable under civil rules. In other cases, military service shall be treated as superior or non-superior according to the character of the appointment in which it was rendered, and with reference to the criteria observed in an appointment pensionable under civil rules. Doubtful cases should be referred to Government who enjoy full powers in the matter.

254. Civil employees other than those governed by rule 255 who, prior to their civil employment, have rendered satisfactory paid service between the 4th August, 1914, and the 31st August, 1921, in *His Majesty's* Military, Naval or Air Forces, British or Indian, which did not earn a service pension under the Military, Naval or Air Force Rules shall be allowed to count such military service, including sick leave taken during such service, for the purpose of civil pension, subject to the observance of the following general principles:—

- (1) Completed years of military service shall be allowed to count up to a maximum of four years.
- (2) In the case of services in which a minimum age is fixed for recruitment, no military service rendered below that age shall be allowed to count for pension.
- (3) The addition of war service shall not be included in total service under rule 293 for the purpose of counting leave as service for pension nor allowed in addition to the concession in rule 291, but any Government servant who may be entitled to the concessions admissible under the latter rules and to the concession in this rule, will be allowed to select whichever is more favourable.
- (4) Pakistan, British and Indian military service shall be allowed to count alike for pension and no contribution towards, or share of, a pension earned as a result of this concession shall be claimed from the Home Government.
- (5) No refund of military bonus or gratuity shall be demanded from the employee.

254A. Civil Employees who prior to their civil employment have rendered whole time, satisfactory, paid, enlisted or commissioned service between the 3rd September 1939 and the 31st March, 1946 in *His Majesty's* Military,

Naval or Air Forces, British or Indian, which did not earn a service pension under the Military, Naval or Air Forces Rules and who have been appointed in a civil pensionable post on or before the 18th July, 1949, shall subject to the observance of general principles laid down in rule 254 of East Bengal Service Rules, Part 1, in so far as they are not inconsistent with this rule, be allowed to count completed years of such services up to a maximum of five years, for the purpose of civil pension.

CHAPTER XVIII

CONDITIONS OF QUALIFYING SERVICE

SECTION I—DEFINITION OF QUALIFYING SERVICE

Beginning of Service.

255. (a) Except for compensation gratuity, an officer's service does not in the case of superior service qualify till he has completed twenty years of age.

(b) In other cases, unless it be otherwise provided by special rule or contract, the service of every officer begins when he take charges of the office to which he is first appointed.

256. The following exceptions are admitted to the twenty years' rule:—
Sub-Assistant Surgeons count service from the date they pass their final examinations.

257. In the case of Lower Subordinate Service, service counts after the age of sixteen years.

Conditions of Qualification.

258. The service of an officer does not qualify for pension unless it conforms to the following three conditions:—

First—The service must be under Government.

Second—The employment must be substantive and permanent.

Third—The service must be paid by Government.

These three conditions are fully explained in the following sections.

259. The Government may, however, in the case of service paid from General Revenues, even though either or both of conditions (1) and (2) are not fulfilled,—

(1) declare that any specified kind of service rendered in a non-gazetted capacity shall qualify for pension; and

(2) in individual cases, and subject to such conditions as it may think fit to impose in each case, allow service rendered by an officer to count for pension.

Subject to such conditions as it may think fit to impose Government may delegate its powers under this rule to Heads of Departments.

SECTION II—FIRST CONDITION

260. The service of an officer does not qualify unless he is appointed and his duties and pay are regulated by Government, or under conditions determined by Government. The following are examples of officers excluded from pension by this rules:—

(1) A Marine Officer paid by fees fixed by the Board of Trade;

- (2) Officers of a Municipality;
- (3) Officers of Grant-in-aid Schools and Institutions; and
- (4) Subordinates appointed by Treasurers on their own responsibility, e.g., Shroffs (money-testers).

Service paid from Contract Allowances.

261. Service on an establishment paid from a Contract Establishment Allowance, with the detailed distribution of which Government does not interfere, does not qualify, whether such contract allowance is a fixed amount or consists of fees.

Note—The maximum establishment allowance for Registration Offices is not a contract allowance within the meaning of this rule.

262. Services on an establishment paid from the household allowance of a Governor, does not qualify.

If an officer has served partly (in a capacity which would have given him claim to pension if the service had been paid from the General Revenues) on the household establishment and partly on establishment paid from the General Revenues he is entitled from the General Revenues to a share of any pension to which he would have been entitled if his whole service had been paid from the General Revenues, proportionate to the length of the service which has been so paid.

Example—A.B, a messenger on pay of Rs. 8 a month, has served altogether 32 years, of which 16 years were passed on the household establishment. If A.B's whole service had been paid from the General Revenues, he would have been entitled under the rules for non-superior service to a maximum pension of Rs. 4 a month. A.B will receive from the General Revenues a maximum pension of Rs. 2 a month.

Service under an employer other than Government.

263. In the following cases service under an employer to whose position Government has succeeded qualifies:—

Service rendered to a Federated State, and continued to Government on the lapse or annexation of the State, when old age or infirmity renders the officer a fit object for pension.

General Principles.

SECTION III—SECOND CONDITION

264. Service does not qualify unless the officer holds a substantive office on a permanent establishment.

265. An establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, is not a temporary establishment. Service in such an establishment, including the period during which the establishment is not employed, qualifies; but the concession of counting as service the period during which the establishment is not employed does not apply to an officer who was not on actual duty when the establishment was discharged, after completion of its work, or to an officer who was not on actual duty on the first day on which the establishment was again re-employed.

266. An officer transferred from a temporary to a permanent appointment can count his service in the temporary office, if, though at first created experimentally or temporarily, it eventually becomes permanent.

Note—An officer appointed to officiate in an appointment which though at first created experimentally or temporarily but eventually made permanent can count the officiating service in the temporary appointment he actually held and his *locum-tenens* counting his officiating service under rule 267.

267. An officer without a substantive appointment officiating in an office which is vacant, or the permanent incumbent of which does not draw any part of the pay or count service, may if he is confirmed without interruption in his service, count his officiating service.

Note—Munsifs count as service qualifying for pension the period, whether continuous or not, during which they held temporary appointment or officiate in leave vacancies prior to confirmation.

267A. Notwithstanding anything contained in rules 264, 266 and 267 of the East Pakistan Service Rules, Part I, temporary and officiating service, in the case of Government servants who retired on or after the 1st January, 1949 or who joined or will join service thereafter, shall count for pension according to the following rules:—

- (i) Government servants borne on temporary establishments who have rendered more than 5 years' continuous temporary service shall count such service for the purpose of pension or gratuity excluding broken periods of temporary service, if any, rendered previously, and
- (ii) temporary and officiating service followed by confirmation which does not qualify for pension under the rules in this section shall also count for pension or gratuity subject to the exclusion of broken periods of temporary or officiating service, if any.

Note 1—The pension of Government servants who have already retired after the 1st January, 1949 shall be revised under this rule but the increased pension shall have effect from the 29th September, 1954 or from the date as determined under rule 450, whichever is later.

Note 2—Under the above rule temporary Government servants borne on temporary establishment who have rendered five years continuous service can count such service for the purpose of pension and gratuity. The Government servants are, therefore, entitled to pensionary benefits in respect of the temporary service on retirement from service on attaining the age of superannuation or on completing a specified length of service or on being invalidated by a medical officer or board for further service.

In case of Government servants borne on temporary establishment the question of compensation pension does not arise as the essential condition prescribed for the grant of compensation pension, *viz.*, loss of permanent carrier, is not satisfied in their cases. They are therefore, not entitled to any compensation pension in terms of rule 308 of East Pakistan Service Rules, Part I.

Note 3—Families of Government servants who have rendered purely temporary service of five years or more are entitled to family pension/gratuity in the event of death of Government servants before retirement.

Apprentices and Probationers.

268. Service as an apprentice does not qualify, except in the following cases:—

Engineer or Examiner Apprentices—In the Communications, Buildings and Irrigation Department.

269. The service of a probationer who holds a substantive office and draws substantive pay qualifies. So does that of an officer who is on probation for a substantive office, if he is employed in a vacancy reserved for him pending probation, and in which no other officer simultaneously counts service.

Note—Probationary service not followed by confirmation does not qualify for pension. A Government servant may count his probationary service for pension though he is confirmed in a post other than in which he was appointed on probation.

270. The service of officiating and temporary Deputy Magistrate, Collectors and Sub-Deputy Collectors, counts for pension from the date on which all the three following conditions are fulfilled, namely—

- (a) Two years' continuous officiating service as such has been rendered;
- (b) Departmental examinations have been fully passed; and
- (c) The age of twenty years has been attained.

Note—The above conditions do not apply to Deputy Collectors and Sub-Deputy Collectors who began service in the Settlement Department on a temporary footing and were promoted to be officiating Deputy Collectors or Sub-Deputy Collectors in Provincial service. Such officers are allowed to count the whole of their continuous service for pension from the date of their first appointment, in the Settlement Department.

Permanent officer deputed.

271. An officer on a permanent establishment detached on temporary duty, on the understanding that, when the temporary duty ceases, he will return to the permanent establishment, counts his detached service.

Note 1—A permanent officer doing temporary duty counts his detached service in respect of his permanent appointment and not in respect of his temporary duty (*See* rule 364).

Note 2—An officer whose lien has been suspended under rule 20(2) will count his service under rule 271 in respect of his permanent post and his *locum tenens* who has been made provincial in his place will be treated as permanent for all purposes except for pension.

Note 3—The periods of transfer to a permanent non-pensionable establishment should be allowed to count under rule 271, whenever both the following conditions are fulfilled—

- (i) the period of deputation is not more than 3 years; and
- (ii) the salary in the non-pensionable appointment is not over 25 percent in excess of the substantive pay in pensionable establishment.

272. The preceding rule permits the temporary suspension of the second condition of qualifying service which forms the subject of this section; it does not authorise any relaxation of the first condition (section II), or the third condition (section IV), and, in particular, must not be understood to countenance any modification of the rules in Chapter XII, which apply to an officer on Foreign Service.

273. Service as Private Secretary to the Governor-General, a Governor or a Lieutenant-Governor, qualifies, provided that the officer belonged before his appointment as Private Secretary, to the Civil Service of Government whether the Indian Civil Service or not.

Substantive Office Abolished.

274. If the substantive office of an officer is abolished within the meaning of rule 308, but the officer is, at the time, on special duty, or is, on abolition of his office put on special duty, his service on special duty qualifies, but the duty must be special; mere employment, in continuation of permanent employment, in a temporary appointment which happens at the time to be vacant, does not qualify.

The service of an officer of the Marine Service continues to qualify when upon the abolition of his appointment, he is retained on subsistence allowance or in an officiating appointment.

Piece-work.

275. A press servant, who is paid for piece-work, is treated, as having held a substantive office, if—

- (i) he is employed, not casually, but as a member of a fixed establishment; and
- (ii) during the last seventy-two months of his actual employment he has been attached to one office uninterruptedly for twenty-four months or it has not been through his own choice or misconduct that he has not been so attached.

Note—It was decided that—

(a) the service of Section-writers on the establishment of the High Court should be treated as pensionable in the case of—

- (1) men now on the regular establishment who were previously Section-writers and
- (2) men now on the staff of Section-writers paid by Government, who may hereafter be appointed to the permanent staff;

(b) that service as Section-writers should not count for pension in the case of—

- (1) Section-writers now in service, who are not eventually transferred to the regular establishment;
- (2) Section-writers appointed in future, whether they are subsequently transferred to the permanent establishment or not.

Surveys and Settlements.

276. (a) The service of an officer not merely temporarily engaged in the Revenue Survey Departments which are (or were) on a quasi-permanent footing qualifies.

(b) Except in the regular departments and to the extent above specified Settlement and Survey service does not count unless it is followed, without interruption, by qualifying service. Settlement service followed, without interruption by pensionable service paid from a Patwari Fund also qualifies.

Note—Except in special cases it is not permissible to condone an interruption between an Officers, non-qualifying service in the Settlement Department and his subsequent qualifying service, in order to make the former service qualifying under this rule.

277. Deputy Collectors and similar gazetted officers, when not especially employed for temporary work are not affected by the preceding rule, as they count service independently of the particular department to which they happen for the time to be attached.

Exception.

278. A Medical Officer in-charge of a Government vessel may count his service afloat, if he is transferred, without interruption of his service, to the Civil Medical Service.

SECTION IV—THIRD CONDITION

Sources of remuneration.

279. Service which satisfies the conditions prescribed in sections II and III qualifies, or does not qualify, according to the source from which it is paid; with reference to this rule, service is classified as follows:—

- (a) Paid from the General Revenues.
- (b) Paid from Local Funds.
- (c) Paid from Funds in respect to which the Government holds the position of Trustee.
- (d) Paid by Fees levied by law, or under the authority of Government, or by Commission.
- (e) Paid by the Grant, in accordance with law or custom, of a tenure in land, or of any source of income, or right to collect money.

General Revenues.

280. Service paid from the General Revenues qualifies. The fact that arrangements are made for the recovery, on the part of Government, of the whole, or part, of the cost of an establishment or officer, does not affect the operation of this principle:

Provided that the establishment or officer is appointed, controlled and paid by Government.

Note—In making arrangements for the recovery of cost of establishments, it should not be forgotten that Government has to bear not only the immediate cost, but also that of leave allowances and pensions. (See rule 116).

Examples—(a) The Shipping Master and Deputy Shipping Master and their establishment at Bombay and Deputy Shipping Master in Calcutta, the cost of which offices is provided for by shipping fees.

(b) The establishment of the Hooghly College and Collegiate Schools while the cost thereof was borne by the Mohsin Trust Fund and also that of the Elphinstone College and High School and some other Government Medical and Educational Institutions in Bombay, a portion of the cost of which is recovered from private endowments.

(c) Masters and Assistant Masters in schools establishment in Bombay on the old system (converse to the grant-in-aid system) whose pay was met in part by local contributions. The pension in this case is reckoned only on the share of pay paid by Government.

(d) The establishment of the Sehore (Bhopal) School, the expense of which is paid in part by local subscriptions.

(e) Certain Customs establishments in Bombay, the cost of which is paid for by private companies.

(f) When police-officers are entertained at the cost of individuals and corporate bodies an additional charge of one-fourth of the pay of officers whose pay is not less than Rs. 100 a month, and of three-sixteenth of the pay of others must be defrayed by the persons for whose benefit the officers are employed:

Provided always that the additional charge shall not be made when such officers do not belong to the regular Police, but are only temporarily engaged, their service not counting for pension; or when the pay of the officers is a charge upon the General Revenues. [See rule 369 (b)].

(g) An establishment of the Accountant-General of the High Court at Bombay whose pay is provided for by a three per cent. commission on invested funds in-charge of the Accountant-General.

(h) The office establishment of the Health Officer of the Port of Bombay and the crew or the boat placed at the disposal of the officer, a portion of whose pay is paid by the Bombay Port Trust.

(i) Certain additions to the Government establishments in the Bombay Presidency, *e.g.*, the Accountant-General, Commissioners, Surgeon-General, Bombay, Surgeon-Colonel in Sind, Inspectors of Schools, etc. the cost of which is met from the General (Provincial) Revenue which are recouped by recoveries from the several Local Funds concerned.

Local Funds and Trust Funds.

281. Service paid from a Local Fund does not qualify.

282. Service paid from Funds which Government hold only as a Trustee such as under a Court of Wards or in an Attached Estate, does not qualify.

Fees and Commission.

283. Except when fees or commission are drawn in addition to pay from the General Revenues, service in an office paid only by fees, whether levied by law or under the authority of Government, or by a commission, does not qualify.

Service as Official Assignee does not qualify.

Tenures in Lands, etc.

284. Service paid by the Grant, in accordance with law or custom, of a tenure in land, or of any other source of income, or right to collect money does not qualify.

SECTION V—DISTINCTION BETWEEN SUPERIOR AND LOWER SUBORDINATE SERVICE.

285. Qualifying service is divided into Superior and that rendered in the Lower Subordinate Service.

286. Subject to the exception which may be made by special orders, all posts of which the maximum pay does not exceed Rs. 95 shall be treated as belonging to Lower Subordinate Service.

Note 1—Appendix No. 10 contains a list of appointments included in the Lower Subordinate Service.

Note 2—Service paid from fees and commissions, addition to pay from the general revenues qualifies under rule 283, but fees and commissions should not be included in pay to determine, with reference to rule 286, whether the service is "Superior" or not.

Service partly superior and partly non-superior (i.e., rendered in the Lower Subordinate Service)

287. An officer whose service has been for sometime superior and for sometime non-superior may either count—

- (a) the whole as non-superior towards pension or gratuity on the non-superior scale; or
- (b) the superior portion towards pension or gratuity on the superior scale and the non-superior portion towards gratuity on the non-superior scale.

Under (a) the pension or gratuity is calculated on the pay (whether in superior or Lower Subordinate Service) which the officer drew immediately before his retirement.

Under (b) the pension or gratuity on the superior scale is calculated upon the average emoluments or emoluments respectively which the officer drew when last in superior service, and the gratuity on the non-superior scale upon the pay which he drew when last in the Lower Subordinate Service; provided that the total gratuity or gratuity plus pension granted under this clause shall not exceed what would have been admissible, if the whole service had been superior.

If an officer has been reduced from the Superior to the Lower Subordinate Service for misconduct he cannot have the benefit of this rule without the special permission of Government.

288. The claims of an officer, promoted from a Lower Subordinate Service to a superior grade as a regard for meritorious service, will be specially considered by Government. This rule is to be strictly interpreted and a claim under it can be found only on exceptional promotion made out of the ordinary course.

Exceptional Cases.

289. If an officer holds two or more offices each of which in the Lower Subordinate Service by reason of its pay not exceeding Rs.20 he cannot count service as superior on the ground that his aggregate pay exceeds Rs. 20 unless the offices were arranged and their pay determined with the intention that they should be held by one individual.

290. (a) When the regular duties of an officer whose pay exceeds Rs.20 but who bears a designation assigned to members of the Lower Subordinate Service are really such as are ordinarily performed by a Superior Government servant, his claim to pension should be specially referred to Government.

Note—It is not intended by this rule that a member of the Lower Subordinate Service should count service as superior in virtue of his voluntarily assisting in superior work. It provides for the case of a person who is engaged under due authority to do superior work, though with a non-superior designation.

(b) On the other hand an officer whose real duties are those of a member of the Lower Subordinate Service even though his pay exceeds Rs. 20 is not entitled to pension on the superior scale merely because he draws pay under a superior designation.

Example—A Lithographic Pressman designated as a "Copying Clerk."

CHAPTER XIX
RULES FOR RECKONING SERVICE
SECTION I—SPECIAL ADDITIONS

Special Appointments.

291. For officers mentioned in rule 244, the concession of adding to qualifying service is as follows:—

In the case of the Educational (Provincial Services), Factory and Boiler and Smoke Nuisances Inspection, the Provincial Judicial Services, Distillery Experts in the Excise Departments, Superintendent of Government Printing, Registrar of Joint Stock Companies, First and Second Assistant Secretaries to the Government of East Pakistan, Legislative Department, Deputy Superintendent and Remembrancer of Legal Affairs, the Press and Forms Manager, Registrar, Original Side, Dacca, Secretary to the Chief Justice, Dacca, and of such other appointments as may be definitely specified in this behalf in other Departments, except those included in clause (i) of rule 352 in which recruitment is likely to take place normally after 25 years of age, officers recruited over that age may add to their service qualifying for superannuation pension (but not for any other class of pension) the actual period not exceeding five years by which their age at recruitment exceeded twenty-five years. This concession will not be granted to individual officers appointed at an age exceeding twenty-five years to Departments or appointments other than those included above. No officer can claim the benefit of this rule unless his actual qualifying service at the time he quits Government service is not less than ten years.

Note—The extra years conceded in this rule count towards the limit of 28 year's qualifying service prescribed in rule 354.

(1) The provisions of this rule apply to members of the Bar directly appointed before the 23rd February 1937 to judicial posts ordinarily preserved for members of the Civil Service of Pakistan, but in their case, the maximum period to be added will be ten years.

(2) The provisions of this rule also do not apply to officers of the Departments and holders of the appointments mentioned therein, who are recruited on or after the 3rd October 1937.

SECTION II

Periods of Leave

292. Time passed on leave, other than extraordinary leave, counts as superior service.

293. [Omitted]

294. [Omitted]

Deputation out of Pakistan.

295. When an officer is deputed out of Pakistan on duty, the whole period of his absence from Pakistan counts. When an officer on leave out of Pakistan is employed, or is detained after the termination of his leave on duty the period of such employment or detention counts.

Recall to Duty.

296. Time spent on the voyage to Pakistan by an officer who is recalled to duty before the expiry of any recognized leave out of Pakistan counts, provided his return to duty is compulsory (See rule 156).

Lower Subordinate Service.

297. A member of the Lower Subordinate Service counts leave with and without allowances not exceeding in the aggregate, that which might be given with allowances under the rules in Chapter XV.

SECTION III—SUSPENSIONS, RESIGNATIONS, BREAKS AND DEFICIENCIES IN SERVICE

Periods of Suspension.

298. Time passed under suspension pending enquiry into conduct counts, if the suspension is immediately followed by reinstatement or by compulsory retirement.

299. If an officer, who has been suspended, pending enquiry into his conduct, is reinstated, but with forfeiture of any part of his allowances for the period of suspension, this period does not count (save with the special sanction of the Head of the Department), unless the authority who reinstates the officer expressly declares at the time that it shall count. (See rule 72).

Resignations and Dismissals.

300. (a) Resignation of the public service, or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age, or failure to pass a prescribed examination entails forfeiture of past service.

(b) Resignation of an appointment to take up another appointment, service in which counts, is not a resignation of the public service.

301. Any authority who, on revision or appeal, reverses an order dismissing or removing an officer, may declare that the officer's past service counts.

Interruptions.

302. An interruption in the service of an officer entails forfeiture of his past service, except in the following cases:—

- (a) Authorised leave of absence.
- (b) Unauthorised absence in continuation of authorised leave of absence so long as the office of the absentee is not substantively filled; if his office is substantively filled, the past service of the absentee is forfeited.
- (c) Suspension immediately followed by reinstatement, which need not be to the same office, or by compulsory retirement.

- (d) Abolition of office or loss of appointment owing to reduction of establishment.

Note—This clause shall also be applicable to a temporary Government servant in temporary establishment.

- (e) Transfer to non-qualifying service in an establishment under Government control. The transfer must be made by competent authority; an officer who voluntarily resigns qualifying service cannot claim the benefit of this exception. Transfer to a grant-in-aid school entails forfeiture. [But see example (c) of rule 280.]
- (f) Time occupied in transit from one appointment to another, provided that the officer is transferred under the order of competent authority or, if he is a non-gazetted officer, with the consent of the head of his old office.

303. The authority who sanctions the pension may commute retrospectively periods of absence without leave into leave without allowances. [See rules 174 (3) and 195 (2).]

Condonation of Interruption and Deficiencies,

304. Upon such conditions as it may think fit in each case to impose the authority competent to fill the appointment held by an officer at the time condonation is applied for, were he to vacate that appointment, may condone all interruptions in his service.

Note 1—The powers under this rule shall be exercised subject to any rules which the Government may deem fit to prescribe but shall not be so exercised as to condone breaks in temporary and officiating service specifically excluded from the category of qualifying service under rule 267A.

Note 2—Notwithstanding anything contained in Note 1, interruption in the services of employees of the erstwhile Civil Supplies Department who were retrenched on or after the 1st September, 1954 on the abolition of that Department and subsequently absorbed under the Provincial Government (in various Departments and offices) may be condoned, if at the time of their retrenchment the persons concerned had already rendered a continuous service of five years or more in the former Civil Supplies Department.

Note 3—Condonation of interruption in service in between two spells of qualifying temporary/officiating service in terms of rule 267A is permissible under this rule if such service is rendered after 1st January, 1949. Temporary/officiating service for a period of less than 5 years is non-qualifying service and if such service occurs in either spell condonation will not be permissible.

305. (1) Upon any conditions which it may think fit to impose the authority competent to sanction the pension of an officer may condone a deficiency of three months in his qualifying service.

(2) Government may similarly condone a deficiency not exceeding twelve months.

(3) If an officer claiming superior service has also rendered non-superior service, Government under whom he is serving may condone a deficiency in his qualifying service for pension on the superior scale not exceeding one-half of his non-superior service, subject to a maximum of twelve months in all.

The following procedure should be adopted for condonation of deficiency in the qualifying service—

Condonation up to six months may be allowed where the official has served meritoriously.

Condonation up to 12 months may be allowed where, in addition to the above condition, the official has—

- (i) other non-qualifying service to his credit, or
- (ii) where the official has retired prematurely due to medical reasons or abolition of the post.

No condonation will be allowed for the purpose of—

- (a) earning higher pension than that ordinarily admissible after 25 years of qualifying service.
- (b) Special additional pension.

Official who retires voluntarily will not be entitled to any condonation.

CHAPTER XX

CONDITIONS OF GRANT OF PENSIONS

SECTION I—CLASSIFICATION OF PENSIONS

306. Pensions for "Superior Service" are divided into four classes, the rule for which are prescribed in the following sections of this Chapter:—

- (a) Compensation pensions (*see* Section II).
 - (b) Invalid pensions (*see* Section III).
 - (c) Superannuation pensions (*see* Section IV).
 - (d) Retiring pensions (*see* Section V).
307. [*Omitted*].

SECTION II—COMPENSATION PENSION.

308. If an officer is selected for discharge owing to the abolition of a permanent post, he shall unless he is appointed to another post the conditions of which are deemed by authority competent to discharge him to be at least equal to those of his own, have the option—

- (a) of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or
- (b) of accepting another appointment or transfer to another establishment even on a lower pay, if offered, and continuing to count his previous service for pension.

309. The selection of the officer to be discharged upon the reduction of an establishment should *prima facie* be so made that the least charge for Compensation pension will be incurred.

310. The discharge of one officer to make room for another better qualified is not the abolition of an appointment within the meaning of rule 308; the abolition must produce a real saving to Government. Particulars of the saving effected should be fully set forth in every application for Compensation pension. The saving should always exceed the cost of the pension; otherwise it may perhaps be better to postpone the reduction of establishment or abolition of appointment.

Note—A reduced compensation pension may be granted in cases in which the savings effected by the reorganisation of an establishment are insufficient to meet the full pension admissible under rules.

N.B.—The saving referred to in rule 310 should be calculated with reference to the emoluments actually drawn at the time of the abolition of the post.

Restrictions.

311. A Deputy Collector, Munsiff, or similar officer who belongs to the public service apart from his particular local appointments cannot obtain a compensation pension on the abolition of a particular appointment.

312. No pension is admissible to an officer for the loss of an appointment on discharge after the completion of a specified term of service.

313. No pension may be awarded for the loss of a special pay or compensatory allowance.

314. School masters or other officers who, in addition to their other duties, are employed in any capacity in the Postal Department, are not entitled to compensation pension on being relieved of such duties.

315. If it is necessary to discharge an officer in consequence of a change in the nature of the duties of his office, the case should be referred to Government, who will deal with it in accordance with the rules laid down in this section as to notice of discharge and compensation pension or gratuity.

316. If, of two appointments held by one officer, only one is abolished and it is desired to give him an immediate pension in respect of the abolished post, the case should be specially referred for the orders of Government to abolish the appointment.

317. Reasonable notice should be given to an officer in permanent employ before his services are dispensed with on the abolition of his office. If, in any case, notice of at least three months is not given, and the officer has not been provided with other employment on the date on which his services are dispensed with, then with the sanction of the authority competent to dispense with the officers services, a gratuity not exceeding his emoluments for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the pension to which he may be entitled under rules 351 to 360 but the pension shall not be payable for the period in respect of which he received a gratuity in lieu of notice.

(1) The gratuity prescribed in this rule is not granted as compensation for loss of employment but only in lieu of notice of discharge, with a view to mitigate the hardship caused to an officer by the sudden loss of employment. When therefore, an officer discharged without notice is provided with some other employment on the date on which his services are dispensed with, whether that employment be in qualifying or non-qualifying service, he is not entitled to any gratuity.

(2) Unless it contains an express statement to the contrary, an order for the abolition of an office or appointment shall not be brought into operation till the expiry of three months after notice has been given to the officer whose services are to be dispensed with on such abolition. The immediate head of the office or the department will be held responsible that there is no unnecessary delay in giving such notice. In the case of an officer on leave, the order shall not be brought into operation until the leave expires.

N.B.—Emoluments in this rule means the emoluments or leave allowances (or partly the one partly the other) which the officer would be receiving during the period in question had the notice not been given him.

Example—An officer on leave up to 3rd July, 1892, served with a notice of discharge on the 9th May, 1892, should be allowed leave allowance up to 3rd July, and thereafter full pay up to 8th August.

Note 1—A permanent servant of Government who is served with the notice of discharge shall suffer no reduction in his total emoluments for three months counting from the date of notice.

Note 2—The gratuity paid in lieu of notice on abolition of an appointment should be charged to the particular department to which the pay of the appointment was debited before its abolition.

Note 3—When an officer is transferred from pensionable Government service to a non-pensionable establishment, he cannot be granted any pension or gratuity admissible to him for the qualifying portion of his service until he actually retires from the non-pensionable establishment to which he belongs.

Note 4—If an officer is transferred to a non-qualifying appointment in the interest of the public service and under orders of a competent authority, he is entitled to compensation pension if discharged on abolition of that non-qualifying appointment.

318. Whenever it is found necessary to determine the service of an officer serving under a contract within the period of his agreement, a specific intimation of the determination of the agreement and of the grounds on which it has been determined shall be furnished to the officer in writing.

319. Rules 384 and 385, requiring the refund of a Compensation gratuity on re-employment, apply to a gratuity awarded under rule 317, if the officer is permanently re-employed within three months from the date of notice. But the officer need not refund that proportion of his gratuity under this rule which the interval of his non-employment bears to the whole period for which the gratuity is given. If the officer is re-employed only temporarily, he need refund no part of his gratuity; but if such temporary employment is foreseen, the gratuity should be proportionately reduced.

Acceptance of new Appointment.

320. If an officer who is entitled to compensation pension accepts instead another appointment in the public service, and subsequently becomes again entitled to receive a pension of any class, the amount of such pension shall not be less than he could have claimed if he had not accepted the appointment.

SECTION III—INVALID PENSION

321. An invalid pension is awarded, on his retirement from the public service to an officer who by bodily or mortal infirmity is permanently incapacitated for the public service, or for the particular branch of it to which he belongs.

Rules regarding Medical Certificates.

322. If an officer applying for an invalid pension is sixty years old or upwards, no certificate by a Medical officer is necessary; it suffices for the head of the office to certify to the incapacity of the applicant. Otherwise incapacity for service must be established by a medical certificate attested as follows:—

- (a) If the officer submitting it is on leave in England—by a Medical Board or Committee set up by the High Commissioner for Pakistan in the United Kingdom.
- (b) If he is serving at or near the capital town of a Province—by the Administrative Medical Officer of the Province, or by a Medical Committee over which the Administrative Medical Officer should, when practicable, preside.
- (c) If he is an officer in Superior Service, and is serving in the interior of the country under such circumstances that, in the opinion of

the authority which sanctions the pension, he can be conveniently required to appear before a Medical Invaliding Committee—by such Committee.

- (d) In other cases, the authority which sanctions the pension may either accept a certificate given by a single Commissioned Medical Officer or Medical Officer in charge of a civil station, or assemble a special Invaliding Committee at a convenient civil station.
- (e) If the pension applied for exceeds Rs. 100 a month, a certificate by a single Medical Officer should not be accepted as sufficient, if it is possible, without undue inconvenience, to assemble an Invaliding Committee or to cause the applicant to appear before the standing Medical Committee.
- (f) Except in the case of an officer on leave in England, no medical certificate of incapacity for service may be granted unless the applicant produces a letter to show that the head of his office or department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the head of the Office or department in which the applicant is employed, with a statement of what appears from official records to be the applicant's age. Where the applicant has a service book, the age there recorded should be reported.
- (g) In the case of civilians in the various administrative services and departments of the Army including the Military Accounts Department who, under an agreement, are liable for field service, incapacity-for service must be established by a Military Medical Board the members of which will attest the Medical certificate.

Note—If the invaliding certificate is given by foreigners it should be attested by a consular or other similar authority as bearing the signatures of qualified medical practitioners.

323. (a) A succinct statement of the medical case and of the treatment adopted should, possible, be appended.

(b) If the Examining Medical Officer, although unable to discover any specific disease in the officer, considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and, if possible, a second medical opinion should always in such a case be obtained.

(c) In a case of this kind, special explanation will be expected from the head of the office or department of the grounds on which it is proposed to invalid the officer.

324. A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of an officer whose recorded age is less than fifty-five years, but a Medical Officer is at liberty, when certifying that the officer is incapacitated for further service by general debility, to state his reasons for believing the age to be understated.

Form of Medical Certificate in England.

325. The form of the medical certificate given by the Medical Board or Committee set up by the High Commissioner for Pakistan, respecting an officer applying for pension in England is as follows:—

“We have carefully examined Mr.

Taking into account all the facts of the case as well as his present condition, we consider that he is incapable of discharging the duties of his situation, and that such incapability is likely to be permanent. We, therefore, recommend that he be permitted to retire from the service of Government on the pension or gratuity which he may be eligible."

326. If any doubt arises regarding the validity of a certificate by the Medical Board or Committee set up by the High Commissioner for Pakistan, the Audit Officer must not of his own motion reject the certificate as invalid, but must submit the matter for the decision of Government.

Form of Medical Certificate in Pakistan.

327. (a) The form of the certificate to be given respecting an officer applying for pension in Pakistan is as follows:—

Certified that I (we) have carefully examined A.B., son of C.D., a..... in the..... His age is by his own statement..... years, and by appearance about years. I (we) consider A.B. to be completely and permanently incapacitated for further service of any kind (or in the Department to which he belongs) in consequence of..... (here state disease or cause). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

Note—If the incapacity is obviously the result of intemperance, substitute for the last sentence : "In my (our) opinion, his incapacity is the result of irregular or intemperate habits".

(If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made): I am (we are) of opinion that A.B. is fit for further service of a less laborious character than that which he has been doing (or may, after resting for.....months, be fit for further service of a less laborious character than that which he has been doing).

(b) The object of the alternative certificate (of partial incapacity) is that an officer should, if possible, be employed even on lower pay, so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay then he may be admitted to pension; but it should be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full pension admissible under rule.

328. (a) In the case of civilians in the various administrative services and departments of the Pakistan Army including the Military Accounts Department who, under an agreement, are liable for field service, and whose continuous and pensionable service is not more than 20 years, the medical certificate will take the following form if the officer is incapacitated from permanent physical unfitness to fulfil his field service obligation but is not completely incapacitated for ordinary service:—

Certified that I (we) have carefully examined A.B. son of C.D., a..... in the..... His age is by his own statement..... years and by appearance about years. I (we) consider A.B. to be incapacitated for further service in the..... in consequence of.....(here state disease, etc..) which renders him permanently unfit physically for field service. I am (we are) of opinion that A.B. is fit for further service in any department or service of Government in

which liability, for field service is not a condition of employment. His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

Note—If the incapacity is obviously the result of intemperance, the following will be substituted for the last sentence: "In my (our) opinion his incapacity is the result of irregular or intemperate habit".

(b) The above certificate does not give an officer any right of transfer to any other Government service or department; and an officer invalidated on a certificate in this form will receive either full pension admissible under rule or such smaller amount as may be decided by the authority empowered to sanction the pension.

Special precautions in the Police.

329. District Superintendents of Police should be on their guard against endeavours to retire on Invalid pension by officers who are capable of serving longer.

330. Medical Officers should confine themselves to recommending leave to such Policemen as are not likely to benefit by a further stay in hospital and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.

331. Medical Officers should be specially searching in their examination of the physical unfitness of every applicant for pension, and, whenever, the number of applicants for pensions is large the examination should, if possible be conducted by two Medical Officers.

Restrictions.

332. An officer discharged on other grounds has no claim under rule 321 even although he can produce medical evidence of incapacity for service.

333. If the incapacity is directly due to irregular or intemperate habits no pension can be granted. If it has not been directly cause by such habits, but has been accelerated or aggravated by them, it will be for the authority by which the pension is grantable to decide what reduction should be made on this account.

Applicant to be discharged.

334. An officer who has submitted under rule 322 a medical certificate of incapacity for further service, must not (except for special reasons to be reported to Government) be retained in active service pending a decision on his application for pension, nor can he obtain leave of absence.

Without the special orders of the authority which has power to sanction the pension, service after the date of such medical certificate does not count for pension.

335. The object of rule 334 is to discourage tentative applications; but a member of the Lower Subordinate Service who, in the opinion of the head of his office is fit for light work may be retained in employment till his

pension is sanctioned, provided that his place is not filled up till he retires and that his service counts only to the date of his medical certificate.

336. Rule 334 refers only to the retention in active service of an officer who has furnished a medical certificate in support of an application for invalid pension or gratuity while in Pakistan. The retirement of an officer who is absent on leave other than privilege, leave, when such certificate is submitted may have effect from the termination of his leave, and the officer may continue to draw leave allowance to the end of his leave.

Note—In the case of an officer invalidated while absent on leave, the period intervening between the date of the medical certificate and the actual date of retirement (which must not go beyond the end of his leave) should count as leave.

SECTION IV—SUPERANNUATION PENSION

337. A Superannuation Pension is granted to an officer in superior service entitled or compelled, by rule, to retire at a particular age.

338. An officer, who voluntarily retires or is compelled to retire and part of whose service has been in the Lower Subordinate Service is entitled to pension on the same conditions as if he had been invalidated under rules 357 and 358 and to the option allowed by rule 287.

Procedure.

339. With a view to the issue of necessary orders as to retention or otherwise of officers, the Audit Officer should on or about the 1st of September in each year submit to the authorities concerned a list of those who will attain the age of 55, or complete the term for which extension has been allowed during the next official year. The Audit Officer should similarly submit to the authorities concerned on or about the 1st of September in each year a list of the members of clerical services who will attain the age of 60 during the next official year, should Government or the Head of a Department so direct.

Optional Retirement at Fifty-five.

340. An officer in Superior Service who has attained the age of 55 years may, at his option retire on a Superannuation Pension.

SECTION V—RETIRING PENSION

341. A retiring pension is granted to an officer who is permitted to retire after completing qualifying Superior Service for thirty years or such less time as may for any special class of officers be prescribed.

342. For officers appointed substantively to the service or appointments mentioned in rule 244 the rule for the grant of retiring pension is as follows:—

- (1) An officer is entitled, on his resignation being accepted, to a retiring pension after completing qualifying service of not less than 25 years.

- (2) A retiring pension is also granted to an officer who is required by Government to retire after completing twenty-five years qualifying service or more.

Note—Government retains an absolute right to retire any officer after he has completed twenty-five years qualifying service without giving any reasons, and no claim to special compensation on this account will be entertained. This right will not be exercised except when it is in the public interest to dispense with the further services of an officer.

The Government servant concerned should ordinarily be asked to explain his position before retirement.

343. (a) Any officer appointed or re-appointed after termination of his previous service on or after the 1st April 1941 may, on completing 25 years qualifying service, apply to be permitted to retire. If his resignation is accepted he will be entitled to a retiring pension under rule 351 (c).

(b) (i) Government may without giving any reasons and without the payment of any compensation retire any officer appointed or re-appointed after termination of his previous service, on or after the 1st April 1941 after such officer has completed 25 years of qualifying service;

(ii) An officer compulsorily retired as provided for in sub-clause (i) is entitled to a retiring pension under rule 351 (b).

Combined Appointments.

344. An officer holding two or more separate appointments may not save with the express sanction of Government in the Services and General Administration Department resign one or more of such appointments on a pension, without retiring from the public service altogether. There is no objection to his being relieved from one or more of such appointments at any time, without being compelled to leave the service altogether; but in such case, any pension admissible to him for service in the office or offices from which he is relieved, will be deferred until he finally retires.

Note—The rule that an officer holding two appointments may not retire on pension from one only is based upon the principle that superannuation pension should not be given to officers who are sufficiently efficient for the discharge of their duties, and that any arrangement which encourages officers to seek superannuation while they are or can make themselves efficient causes unnecessary expense to Government.

CHAPTER XXI

AMOUNT OF PENSIONS

SECTION I—GENERAL RULES

[The Rules in this Chapter are to be read as superseded by the New Pension Rules, 1966, to the extent of those rules.]

345. The amount of pension that may be granted is determined by length of service as set forth in rules 351 to 361. Fractions of a year are not taken into account in the calculation of any pension admissible to an office under these rules.

346. Pension fixed in rupees should be calculated to the nearest five paise.

Currency.

347. A pension is fixed in rupees, and not in sterling money, even though it is to be paid in England.

Award of full pension.

348. (a) The full pension admissible under the rules is not to be given as a matter of course, or unless the service rendered has been really approved.

(b) If the service has not been thoroughly satisfactory, the authority sanctioning the pension should make such reduction in the amount as it thinks proper.

Limitations.

349. An officer entitled to pension may not take a gratuity instead of pension.

350. In the case of an officer who has any service under the Imperial (British) Government pension from Pakistan Revenues should not be fixed until it has been ascertained whether any pension is payable from Imperial funds in respect of the service under the British Government.

351. The amount of a pension is regulated as follows:—

(a) After a service of less than ten years, a gratuity not exceeding (except in special cases, and under the orders of Government, up to a maximum of 12 month's emoluments) one month's emoluments for each completed year of service. If the emoluments of the officer have been reduced during the last three years of his service, otherwise than as a penalty, average emoluments may, at the discretion of the authority which has power to sanction the gratuity, be substituted for emoluments.

(b) After a service of not less than ten years a pension not exceeding the following amounts:—

Completed years of service.	Scale of Pension.	Maximum limit of pension.	
		Rs.	Rs.
10	.. 10 Sixtieths of average emoluments.	2,000	a year. or 166½ a month.
11	... 11 Ditto	2,200	.. 183½ ..
12	.. 12 Ditto	2,400	.. 200 ..
13	.. 13 Ditto	2,600	.. 216½ ..
14	.. 14 Ditto	2,800	.. 233½ ..
15	.. 15 Ditto	3,000	.. 250 ..
16	.. 16 Ditto	2,200	.. 266½ ..
17	.. 17 Ditto	3,400	.. 283½ ..
18	.. 18 Ditto	3,600	.. 300 ..
19	.. 19 Ditto	3,800	.. 316½ ..
20	.. 20 Ditto	4,000	.. 333½ ..
21	.. 21 Ditto	4,200	.. 350 ..
22	.. 22 Ditto	4,400	.. 366½ ..
23	.. 23 Ditto	4,600	.. 383½ ..
24	.. 24 Ditto	4,800	.. 400 ..
25 and above	30 Ditto	5,000	.. 416 ..

Note—For the precise meaning of average emoluments, see clauses (4) and (20) of rule 5.

(c) The amount of pension of an officer who retires under clause (a) of rule 343 will be regulated as follows:—

Completed years of service.			Scale of pension.	
25	25/60 of average emoluments subject to a maximum of 5,000 per annum.
26	26/60 Ditto.
27	27/60 Ditto.
28	28/60 Ditto.
29	29/60 Ditto.
30	30/60 Ditto.

352. For officers mentioned in rule 244, the amount of pension is regulated as follows:—

(a) For retiring pensions—

Up to 24 years of service,—as in rule 351; thereafter,—

Completed years of service.	Scale of pension	Maximum limit of pension.	
		Rs.	Rs.
25	.. 25 sixtieths of average emoluments.	5,000 a year	or 416½ a month.
26	.. 26 Ditto	5,200	.. 433½ ..
27	.. 27 Ditto	5,400	.. 450 ..
28	.. 28 Ditto	5,600	.. 466½ ..
29	.. 29 Ditto	5,800	.. 483½ ..
30 and above	30 Ditto	6,000	.. 500 ..

(b) For the other pension—

Up to 25 years of completed service,—as in rule 351; thereafter—

Completed years of Service.	Scale of pension.	Maximum limit of pension.	
		Rs.	Rs.
26	.. 30 sixtieths of average emoluments.	5,200	a year, or 433½ a month.
27	.. 30 Ditto	5,400	„ 450 „
28	.. 30 Ditto	5,600	„ 466½ „
29	.. 30 Ditto	5,800	„ 483½ „
30 and above	30 Ditto	6,000	„ 500 „

This rule will not apply to any officer who did not hold a lien on a permanent pensionable post on 31st March, 1941, or who is re-appointed thereafter after termination of his previous service.

353. Officers holding any of the appointments enumerated below and belonging to what was formerly termed the Uncovenanted Service, may be allowed by Government an additional pension of Rs. 1,000 a year provided that they have rendered not less than three years of effective service in such appointment, and provided also that in each case during such service the officer has shown such special energy and efficiency as may be considered deserving of the concession. In the case of officers entering Government service after the 31st December, 1909 the grant of the additional pension is subject to the further condition that they must, in the event of voluntary retirement, have completed twenty-eight years of qualifying service. The same rule applies to officers of the Forest Department who entered Government service on or before the 31st December, 1909 (including those who were appointed on probation on or before that date), with the exception of those who have, at the time of their retirement, rendered three years' active service on not less than the maximum pay of a Conservator. Voluntary retirement for the purpose of this rule should be taken as retirement under rule 341.

Registration Department—Inspector General.

Jail Department—Inspector-General of Prisons.

Education Department—Directors of Public Instruction.

Forest Department—Conservators.

General Administration—Commissioners of Divisions.

Criminal Intelligence Department—Deputy Director of Criminal Intelligence.

[N.B.—See special addition to the form of certificate in E.P.S.R. Form No.2 (Pension)].

Note—(a) An officer who holds a qualifying appointment substantively counts as effective service all active service, whether in the appointment, or in an appointment of corresponding rank and responsibility in foreign service, or on deputation, on special duty or in a temporary appointment or while officiating in another permanent post. He also counts periods of privilege leave taken by him during such service, but periods of leave other than privilege leave do not count.

(b) All officiating and temporary service in a qualifying appointment falling within any of the classes mentioned in sub-para (a) including periods of such service passed on privilege leave, counts as effective service.

354. The grant of special additional pensions to officers specified in rule 244 is regulated as follows—

(1) The special additional pension admissible under this rule is not to be given as a matter of course but only where the service rendered is approved as satisfying the standard of work and conduct required in the special conditions of the post or duty hereinafter mentioned.

(2) Officers who have held posts listed in the Schedule to this rule may be granted an additional pension *(a)* at the rate of Rs. 300 for each completed year of effective service in any post included in the lower grade, and *(b)* at the rate of Rs. 500 for each completed year of effective service in any post included in the upper grade, up to a maximum of Rs. 1,500 per annum for service in lower grade appointments and Rs. 2,500 per annum for service in lower and upper grade appointments combined or in upper grade appointments alone: Provided that in the case of an officer who has earned an additional pension by service in appointments in both the upper and lower grades, service for any broken period of a year in the upper grade may count as service in the lower grade if his pension would be thereby increased.

(3) An officer who has held a temporary post which has been declared by the authority competent to create the post as carrying similar duties and responsibilities and which carries the same rate of pay as a post listed in the Schedule, may be granted an additional pension in respect of that post at the rate and subject to the conditions prescribed in clause *(2)* of this rule.

(4) For the purpose of clauses *(2)* and *(3)* of this rule "effective service" includes, besides periods of duty in a post mentioned in the said clauses,—

(i) duty performed—

(a) in a post of corresponding rank and responsibility in foreign service, or

(b) on transfer to special duty, or

(c) in a temporary post, or

(d) in a permanent post in an officiating capacity,

to which an officer is transferred or appointed whilst holding the post mentioned in clause *(2)* or *(3)*, if, in the case of an officer who held a post mentioned in clause *(2)* in an officiating capacity,

or of an officer who held a post mentioned in clause (3). Government certifies that he would if he had not been so transferred or appointed, have continued to officiate in or hold the post concerned

- (ii) Privilege leave or leave under the Fundamental Rules or the Revised Leave Rules corresponding to privilege leave for the purpose of calculating service for pension taken by the officer during his service in a post mentioned in clause (2) and (3) of during the period of duty covered by sub-clause (i) of this clause, if in the case of an officer who has held a post mentioned in clause (2) in an officiating capacity, or who has held a post mentioned in clause (3) Government certifies that he would, if he had not proceeded on leave, have continued to officiate in the post mentioned in clause (2) or have held a post mentioned in clause (3).

For the purpose of this sub-clause privilege leave or leave under the Fundamental Rules or the Revised Leave Rules corresponding to privilege leave, taken by an officer immediately on vacating any of the posts mentioned in clause (2) of rule 22 during which he is left without a lien on any permanent post, shall be regarded as leave taken during his service in such a post.

(5) An officer of pensionable status who has held a post in foreign service with a State-owned Railway worked by a Company, which is certified by Government to correspond in rank and responsibility with a State Railway post listed in the Schedule may be granted an additional pension in respect of that post at the rates and subject to the conditions prescribed in clause (2) of this rule, provided that for the purposes of this clause "effective service" means duty (including privilege leave or leave under the Fundamental Rules or the Revised Leave Rules corresponding to privilege leave for the purpose of calculating service for pension) in a foreign service post.

(6) An officer who has received under rule 100, officiating promotion to one of the posts listed in the Schedule, or in whose case Government certifies that he would have received such promotion had he not been on special duty or held a temporary post, may be granted an additional pension at the rates and subject to the conditions prescribed in clause (2), as though he had held during the period for which he officiated or would have officiated, a post listed in the Schedule.

For the purpose of this clause the period of officiating promotion includes any privilege leave or leave under the Fundamental Rules or the Revised Leave Rules corresponding to privilege leave for the purpose of calculating service for pension taken during the period, if Government certifies that had the officer not been on leave, he would have continued in the same capacity.

(7) In the case of officers entering Government service after the 31st December, 1909, the grant of the additional pension is subject to the condition that they must in the event of voluntary retirement have completed 28 years of qualifying service. Voluntary retirement for the purpose of this rule should be taken as retirement under rules 340 and 342.

Schedule of Appointments carrying additional pensions.

A—UPPER GRADE.

Director of Public Instruction.

Vice-Chancellors of Universities (if in pensionable service).

All officers (other than Military Officers and members of the Civil Service of Pakistan) holding C.S.P. posts of the rank of, or higher in rank than that of, a Commissioner of a Division or a District and Sessions Judge in the selection grade.

Inspector-General of Police.

Chief Conservator of Forests.

Chief Engineers, Department of Works, Housing and Settlement.

Chief Engineer, Public Health Engineering.

Officers of the East Pakistan Civil Services holding the post of Resident of the 1st class or of the 2nd class in the Political Department of the Government of Pakistan.

B—LOWER GRADE.

Officers of the Animal Husbandry Department holding appointments, the minimum substantive pay of which is not less than Rs. 1,250 a month, exclusive of overseas pay.

Deputy Inspector-General of Police.

Members of the Higher Agricultural Service, when appointed as Director of Agriculture.

All officers (other than Military officers and members of Civil Service of Pakistan) holding Superior Civil Service of Pakistan post lower in rank than that of a Commissioner of a Division or a District and Sessions Judge in the selection grade.

Inspector-General of Registration.

Conservator of Forests.

Superintending Engineers, Communications, Buildings and Irrigation Department.

Officers of the East Pakistan Civil Services holding superior posts in the cadre of the Political Department of the Government of Pakistan lower in rank than that of Resident, 2nd class.

Deputy Superintendent and Remembrancer of Legal Affairs.

Any pensionable appointment in a Department other than those to which the appointments included in this Schedule appertain, the minimum pay of which, excluding overseas pay, is not less than Rs. 1,250 a month, or, if no overseas pay is attached to it, Rs. 1,500 a month. An officer holding an appointment carrying overseas pay who is not himself entitled to overseas pay is, nevertheless, qualified under this entry.

Note—Government may include in Schedule B any pensionable appointment which fulfils the conditions regarding minimum substantive pay contained in the last entry.

355. Special additional pensions may be granted by Government to military officers on the supernumerary list who have rendered approved service in certain high civil posts, on the following conditions:—

(1) Additional pensions may be granted at the following rates:—

- (i) At the rate of £66 13s. 4d a year, for each completed year not exceeding three, of effective service in any civil post or posts carrying pay not less than Rs.4,000 a month;
- (ii) At the rate of £33 6s. 8d. for each year, not exceeding three, of effective service in any civil post or posts carrying pay not less than Rs.3,000 a month:

Provided that the additional pension admissible under this rule shall not exceed £200 and that the total pension of an officer in receipt of pension under this rule shall not exceed £1,000, or, in the additional pension be wholly at the lower rate, £900.

- (2) In the case of an officer serving in a qualifying post carrying progressive or time-scale pay with a maximum of Rs.3,000, or, Rs.4,000 that portion only of his service during which he has drawn the maximum pay of the post shall qualify for additional pension at the lower or higher rate, respectively.
- (3) Service in a post qualifying for the higher rate of additional pension may count for the lower rate, provided that no period of service shall count for both lower and higher rate of pension.
- (4) For the purpose of clause (1) of this rule the expression 'effective service' includes, besides periods of duty in a post referred to in that clause,
 - (i) duty performed—
 - (a) in a post of corresponding rank and responsibility in foreign service, of
 - (b) on transfer to special duty, or
 - (c) in a temporary post, or
 - (d) in a permanent post in an officiating capacity, to which an officer is transferred or appointed while holding the post mentioned in clause (1).

if, in the case of an officer who held the post mentioned in clause (1) in an officiating capacity, Government certifies that he would, if he had not been so transferred or appointed, have continued to officiate in that post.

(ii) privilege leave or leave under the Fundamental or Revised Leave Rules corresponding to privilege leave for the purpose of calculating service for pension taken by the officer during his service in the post mentioned in clause (1) or during the period of duty covered by sub-clause (i) of this clause, if, in the case of an officer who has held the post mentioned clause (1) in an officiating capacity, Government certifies that he would, if he had not proceeded on leave, have continued to officiate in that post.

- (5) An officer who has received under rule 100, officiating promotion to a post covered by clause (1) of this rule or in whose case Government certifies that he would have received such promotion had he not been on special duty or holding a temporary post, may be allowed by Government an additional pension at the rates and subject to the condition prescribed in clauses (1), (2) and (3) of this rule, as though he had held, during the period for which he officiated or would have officiated, a post covered by clause (1).

Note—For the purpose of this clause the period of officiating promotion includes any privilege leave or leave under the Fundamental or Revised Leave Rules corresponding to privilege leave for the purpose of calculating service for pension, taken during the period, but no other leave if Government certifies that had the officer not been on leave, he would have continued in the same capacity.

SECTION III—*AMOUNT OF PENSION FOR LOWER SUBORDINATE SERVICE.

356.	} [Omitted]
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*Members of the Lower Subordinate Services are to be governed by the same rules relating to pension, gratuity and retirement as are applicable to the Government Servants in Superior service to whom rule 343 apply. The minimum age of commencement of qualifying service for them shall, however, continue to be 16 years.

Vide G.O. No. 3569(95)-F., dated 12th June, 1954.

SECTION IV—ALLOWANCES WHICH DO NOT COUNT TOWARDS PENSION.

362. An Officer cannot count the following allowances:
- (1) Local allowances;
 - (2) House-rent allowance, or estimated value of free quarters;
 - (3) Tour and other allowances (to officers who accompany any Government);
 - (4) Compensation for dearness of provisions.

Net emoluments taken.

363. Any part of an officer's pay or emoluments, which is specially intended to provide for expenses incidental to his duty, must be excluded.

The following are examples of the operation of this rule:

- (1) When an officer's pay is intended partly to cover the expense of his providing or keeping a house, his pay must be taken only at what it would be if it was not intended to cover such expense. When a water-carrier's pay includes provisions for a bullock his pay must be taken at what it would be if he were not required to keep a bullock.
- (2) When a consolidated pay specially includes tentage, travelling allowance, or house allowance, these must be deducted.
- (3) When an officer's pay is fixed at two rates, a smaller rate during stationary duty and a higher rate during periods passed on tour or travelling, the former rate alone should be the basis of the calculation.

364. When service on temporary duty counts for pension under rule 271 the pay of the permanent appointment held by the officer, and not that drawn in respect of the temporary duty, is taken into consideration in determining the amount of pension, unless the officer draws a special pay under rule 5(48).

365. The preceding rule does not apply to an officer transferred on abolition of his appointment to special duty or to an officer who, when his appointment was abolished, was on special duty. In these cases the full allowances are counted.

Combination of Appointments.

366. If an officer has held more than one appointment, in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he had held each office separately and alone. The consolidated pension thus admissible is subject to the limitations prescribed in rules 351 to 355.

367. An officer is not entitled, for service in an office conjointly with another office, to any pension which would not have been admissible to him if he had held the office separately and alone.

CHAPTER XXII

SPECIAL RULES FOR THE POLICE

368. (Omitted.)

Municipal Police.

369. (a) If the Police of a town are wholly supported by, and under the control of a Municipality, the Government has no concern with their pensions.

(b) But if the Government being interested in the efficiency of a Police Force, paid wholly or partly, by Municipality, or from Cantonment Funds, or from the General Revenues subsidised by a contribution from a Municipality, or from Cantonment Funds, undertakes the organisation and control of the Force, as connected with and auxiliary to the Civil Constabulary, service in such a Force qualifies, the contributions of Municipalities, or of Cantonment Funds towards the cost of the pensions of such Forces are, for the present undetermined.

370. The Police Force in the Municipalities come under clause (b) of the preceding rule.

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379.

(Omitted.)

CHAPTER XXIII

RE-EMPLOYMENT OF PENSIONERS

SECTION I—GENERAL

380. No officer, civil or military, may retire with the view of being re-employed, and drawing pension in addition to pay, whether in the general service or in the service of any local Fund.

381. When a person who was formerly in the civil or military employment of any Government in Pakistan obtains re-employment, whether temporarily or permanently, in Government service or in the service of a Local Fund, it shall be incumbent on him to declare to the appointing authority the amount of any gratuity, bonus or pension granted to him in respect of the previous employment. The authority re-appointing him shall specifically state in the order of re-appointment whether any deduction is to be made from pension or salary as required by the rules of this chapter and shall communicate a copy of the order to the Audit Officer.

Note—The principle of this article applies in the case of continued employment on retirement from Government service. The amount of the pension to be declared is that sanctioned originally, i.e., it shall be inclusive of any amount that may have been commuted (*vide* rules 394 and 395).

382. The attention of every officer who is re-employed should be specially called to the provisions of this chapter by the authority re-employing him, and, whenever he becomes aware of such an appointment, by the Audit Officer but the failure of such authority to do this will not be admitted as a ground for condoning any breach of the rules contained in his chapter.

383. Notwithstanding anything contained in the rules in this chapter a wound or other extraordinary pension sanctioned under Chapter XXIV and a wound or injury or disability pension or a disability addition to pension awarded under the military rules shall continue to be drawn by a retired Government servant, civil or military, during re-employment or continued employment, and shall be subject only to the conditions of its award. The amount of such pension or addition to pension shall not be taken into account when fixing the pay during re-employment or continued employment.

Note—Where the military pension is consolidated and service and disability elements are not explicitly differentiated, the total pension may be split up in the following manner: The service portion of the pension will be represented by the service pension earned or, if no service pension has been earned, by the proportionate service pension calculated with reference to the minimum ordinary pension admissible for the rank and the actual length of service rendered. In calculating this service element, an amount of 50 paise and over shall be taken as a whole rupee, amounts of less than 50 paise being ignored. The disability portion of the pension will be the balance.

SECTION II—CIVIL PENSIONERS

Re-employment after compensation gratuity.

384. An officer who has obtained a compensation gratuity, if re-employed in qualifying service, may either retain his gratuity, in which case his former service will not count for future pension, or refund it and count his former service.

385. The intention to refund must be stated immediately on re-employment but the refund may be made by monthly instalments of not less than one-third of the officer's salary, and also not less than the whole gratuity divided by the number of months which have elapsed since the end of the service for which the gratuity was given. The right to count previous service does not revive till the whole amount is refunded.

Note—The equity of this rule is based upon the consideration that so long as the refund of the gratuity is postponed, the officer avoids the risks and the State loses to possibility of the gratuity lapsing absolutely to the public treasury by the death or dismissal of the officer. A subsequent refund of a gratuity, even with compound interest, does not compensate the State for the loss or this possibility meanwhile.

386. (a) An officer who has obtained a compensation pension, if re-employed may retain his pension in addition to his pay, provided that if he is re-employed in a post paid from general revenues, the pension shall remain wholly or partly in abeyance if the sum of the pension and the initial pay on re-employment exceed his substantive pay at the time of his discharge, that is, an officer can draw so much of pension only as will make his initial pay *plus* pension equal to his substantive pay at the time of his discharge. Once the amount of the pension has been fixed in conformity with the above condition the officer shall be entitled to receive the benefits of increments in his new scale or promotion to another scale or post without a further corresponding reduction in pension, nor shall the amount of pension so fixed be varied during leave. In the case, however, of a pensioner re-employed in either a permanent or a temporary appointment, for *bonafide* temporary duty lasting for not more than a year, Government or, in cases where the pension does not exceed Rs. 25 a month, the officer who controls the establishment on which the pensioner is to be employed, may allow the pension to be drawn in whole or in part even though the sum total of pay and pension exceeds his substantive pay at the time of his discharge.

Note 1.—This rule applies to the re-employment on all establishments paid from the General Revenue, whether paid by fixed salary or by fluctuating monthly allowances; but it does not apply to pensioners employed on work as coolies and paid daily hire.

Note 2—In the case of re-employment under a Local Fund, no deduction is made from compensation pension.

Note 3—Government may permit an officer who has obtained a compensation pension and is afterwards re-employed in a permanent or temporary appointment duly sanctioned by competent authority, to draw his full pension in addition to the pay and allowances of the appointment, irrespective of the period of such re-employment.

Note 4—Government may delegate its power under this rule to Heads of Departments in respect of pensioners whose re-employment they are authorised to order.

Note 5—The restrictions in this rule do not apply to ex-policemen whose pension does not exceed Rs. 25 a month or to one who was a member of the Lower Subordinate Service before retirement.

(b) If his re-employment is in qualifying service, he may either retain his pension (subject to the proviso above stated), in which case his former service will not count for future pension, or cease to draw pay part of his pension count his previous service. Pension intermediately drawn need not be refunded.

Note—An Officer counts his previous service under clause (b) if on re-employment his pension remains wholly in abeyance under the proviso to clause (a).

387. In the case of a section writer whose service has been allowed to qualify for pension under special orders of Government or of a press servant

(see rule 275) re-employed, the substantive pay at the time of discharge is taken at the average earnings of the last six months of employment.

388. If an officer does not, within three months from the date of his re-employment, exercise the option conceded by rule 386 of ceasing to draw pension and counting his former service, he may not thereafter do so without the permission of Government.

After Invalid Pension.

389. There is no bar to the re-employment of an officer who has regained health after obtaining Invalid pension, or if an officer is invalidated as being incapacitated for employment in a particular branch of the service, to his re-employment in some other branch of the service. The rules in such a case as to refunding gratuity, drawing pension, and counting service, are the same as in the case of re-employment after compensation pension.

After Superannuation or Retiring Pension.

390. An officer who is in receipt of a superannuation or retiring pension shall not be re-employed or continue to be employed in service paid from general revenues or from a local fund, except on public grounds. Sanction to re-employment or extension of the term of employment may be given as follows:

- (i) By Government when the pensioner served before retirement in a gazetted appointment.
- (ii) By any authority subordinate to Government whom Government may delegate its powers under this rule in respect of pensioners re-employed in establishment under the control of such authority.

Note 1—Government may declare that the restrictions contained in this rule shall not apply to any particular local fund or to local funds of any particular class in its territories or that they shall apply subject to such modifications as it may direct.

Note 2—All Universities incorporated by law are "Local Funds" for the purpose of the above rule.

391. The authority competent to fix the pay and allowances of the appointment in which the pensioner is employed shall determine whether his pension shall be held wholly or partly in abeyance. If the pension is drawn wholly or in part, such authority shall take the fact into account in fixing the pay to be allowed to him; provided that (i) where Government has delegated its power under clause (ii) of rule 390 to the Head of a Department, the latter may not allow the pensioner to draw full pension in addition to the full pay of the post except when the re-employment or continued employment is for *bonafide* temporary duty lasting for not more than a year or the pension does not exceed Rs. 25 a month, and (ii) where Government has delegated its power to any other authority subordinate to itself, such authority may not allow the pensioner to draw in full a pension of more than Rs. 25 a month in addition to the full pay of the post.

Note 1—Where the employment is in service paid from a Local Fund, the authority determining whether the pension shall be wholly or partly held in abeyance shall be either—

- (i) the authority administering the Local Fund, if so empowered by Government by special or general orders in this behalf; or,
- (ii) in any other case, Government or such other authority as Government may prescribe.

Note 2—The restrictions in this rule do not apply to ex-policeman whose pension does not exceed Rs. 25 a month or to pensioners who before retirement held a post in the Lower Subordinate Service.

Exceptions.

392. The foregoing rules do not apply to pensioners re-employed under the Court of Wards.

393. A pensioner of any class may be employed as a Sub-Registrar under the law for the registration of documents remunerated by fees only.

In case of commutation of pension.

394. In the case of a pensioner who is re-employed in Government service or in the service of a Local Fund and who commutes a portion of his pension after such re-employment, the amount of pension which the pensioner is entitled to draw under the rules in this section shall be the amount to which he would have been entitled had there been no commutation, less the amount commuted.

395. In the case of a pensioner a portion of whose pension has been commuted before re-employment, the original amount of the pension should be taken into consideration in fixing the total receipts during re-employment or continued employment and not merely the uncommuted pension.

SECTION III—MILITARY PENSIONERS

396. Except where it is otherwise expressly provided, the rules in section II of this chapter do not apply to a military officer, departmental officer, warrant or non-commissioned officer or soldier who is taken into or allowed to continue in civil employ after he has been granted a pension under military rules. The claims of such an officer to salary in the Civil Department are governed by rule 397. His pension for service in the Civil Department will not be affected by his military pension.

397. (a) When a person formerly in military service obtains employment in the civil department after having been granted a military pension, he shall continue to draw his military pension, but the authority competent to fix the pay and allowances of the post in which he is re-employed shall have, in fixing his pay and allowances in the post in which he is re-employed, the power to take into account the amount of pension, including such portion of it as may have been commuted.

(b) A military officer, departmental officer, warrant or non-commissioned officer or soldier who is granted a pension under military rules while he is in civil employ, shall draw such pension while he is in civil employ, but the authority competent to fix the pay and allowances of the post in civil employ,

may, with effect from the date from which the pension is granted, reduce such pay and allowances with reference to such officer or soldier by any amount not exceeding the amount of such pension.

Note—If the military pension of a person does not exceed Rs. 35 a month it shall not be taken into account in fixing his pay and allowances in the Civil Department, and where such pay and allowances have been fixed after taking such pension into account, they shall be revised with effect from 1st February 1942, as if the person is not in receipt of any military pension.

398. The pension of the heir of a Military Officer or Non-Commissioned officer or soldier, or the heir of a Medical subordinate, will during employment in any Civil Department, merge in his salary.

SECTION IV—PENSION FOR NEW SERVICE

399. Except as provided in rules 396 to 398 an officer who having been discharged with a pension, is subsequently re-employed, may not count his new service for a separate pension. Pension (if any) is admissible only for the new service combined with the old, the whole being counted as one service.

400. If an officer who has obtained a Compensation or Invalid pension is re-employed in pensionable service and retains the pension (*see* rule 386), the pension or gratuity admissible for his subsequent service is subject to the following limitation, namely, that the gratuity or the capital value of the pension shall not be greater than the difference between the value of the pension that would be admissible at the time of the officer's final retirement, if the two periods of service were combined, and the value of the pension already granted for the previous service.

401. (a) If a gratuity received for the earlier service has not been refunded, gratuity or pension (as the case may be) may be allowed for the subsequent service, on condition that the amount of such gratuity or the present value of such pension *plus* the amount of the previous gratuity shall not exceed the amount of gratuity or the present value of the pension that would have been admissible had the gratuity received for the earlier service been refunded.

(b) If the amount of such gratuity or the present value of such pension, *plus* the amount of the previous gratuity, exceed the amount of gratuity or the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.

402. For the purposes of rules 400 and 401, the capital or present value of a pension shall be calculated in accordance with the table prescribed under the "Civil Pensions (Commutation) Rules".

SECTION V—COMMERCIAL EMPLOYMENT AFTER RETIREMENT

402A. (a) If a pensioner to whom this Rule applies wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he should obtain, the previous sanction of the Governor to such

acceptance. No pension shall be payable to a pensioner who accepts commercial employment without such sanction, in respect of any period for which he is so employed or such longer period as the Governor may direct:

Provided that a Government servant permitted by the appropriate authority to take up a particular form of commercial employment during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(b) This Rule shall apply to every pensioner who enters service on or after 16th April 1959 as a member of the following Provincial services:—

- (1) East Pakistan Civil Service (Executive).
- (2) East Pakistan Police Service.
- (3) East Pakistan Civil Service (Judicial)
- (4) Senior Service of Engineers.
- (5) East Pakistan Engineering Service,
- (6) Higher Agriculture Service.
- (7) Higher Animal Husbandry Service.
- (8) Higher Fishery Service.
- (9) Senior Forest Service.
- (10) Senior Education Service.
- (11) East Pakistan Education Service.
- (12) East Pakistan Agriculture Service.
- (13) East Pakistan Animal Husbandry Service.
- (14) East Pakistan Forest Service.
- (15) East Pakistan Fishery Service.
- (16) East Pakistan Excise Service.
- (17) East Pakistan Medical Service (Upper), and
- (18) All posts in General Service.

(c) In this Rule "Commercial employment" means employment in any capacity including that of an Agent under a company, firm or individual engaged in trading or in a commercial, industrial, agricultural, financial, or professional business, and includes also a directorship of such company and a partnership of such firm.

SECTION VI—EMPLOYMENT UNDER A GOVERNMENT OUTSIDE PAKISTAN AFTER RETIREMENT

402B. (a) If a pensioner to whom this Rule applies wishes to accept any employment under a Government outside Pakistan, he should obtain the previous

sanction of the Governor to such acceptance. No pension shall be payable to a pensioner who accepts such employment without proper permission, in respect of any period for which he is so employed or such longer period as the Governor may direct:

Provided that a Government servant permitted by the appropriate authority to take up a particular form of employment under a Government outside Pakistan during leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(b) This Rule shall apply to every pensioner who enters service on or after 16th April 1959 as a member of the following Provincial Services:

- (1) East Pakistan Civil Service (Executive).
- (2) East Pakistan Police Service.
- (3) East Pakistan Civil Service (Judicial).
- (4) ~~Senior~~ Service of Engineers.
- (5) East Pakistan Engineering Service.
- (6) Higher Agriculture Service.
- (7) Higher Animal Husbandry Service.
- (8) Higher Fishery Service.
- (9) Senior Forest Service.
- (10) Senior Education Service.
- (11) East Pakistan Education Service.
- (12) East Pakistan Agriculture Service.
- (13) East Pakistan Animal Husbandry Service.
- (14) East Pakistan Forest Service.
- (15) East Pakistan Fishery Service.
- (16) East Pakistan Excise Service.
- (17) East Pakistan Medical Service (Upper).
- (18) All posts in General Service.

(c) For the purposes of this Rule "employment under a Government outside Pakistan" shall include employment under a local authority or corporation or any other institution or organisation which functions under the supervision or control of a Government outside Pakistan.

CHAPTER XXIV

WOUND AND OTHER EXTRAORDINARY PENSION

SECTION I—GENERAL RULES

403. (a) Subject to the provisions of rule 404, the rules in this chapter apply to all persons in civil employ (and to all persons employed in a civil capacity under the Army Department) whether their employment is permanent, temporary or casual and whether remunerated by fixed pay or by piece-work rates:

Provided that, in the case of a person to whom the Workmen's Compensation Act, 1923, applies,—

- (1) an award shall be paid under the provisions of this chapter only if the authority competent to sanction it considers that the compensation payable under the Workmen's Compensation Act is, in the particular case, inadequate; and
- (2) the amount of an award paid to any such person shall not exceed the difference between the amount otherwise admissible under these rules and the amount of compensation payable under the Workmen's Compensation Act.

(b) In the case of persons remunerated by piece work rates pay for the purposes of this chapter means the average earnings of the last six months of service immediately preceding death or the receipt of injury.

404. The rules in this chapter do not apply to—

- (a) persons paid from the Defence Services Estimates (except Class II followers and religious teachers of Pakistan Units) who in the matter of service pensions or gratuities are governed by the rules in Pension Regulations for the Army in India and/or Pakistan.
- (b) non-combatant departmental and regimental civilian employees holding regular appointments and remunerated by pay or salary from the Defence Services Estimates (including those employed in the Military Accounts Department), in receipt of pay less than Rs.200 per mensem, if they were recruited before the 18th October, 1932.

The claims of these men and of their dependants to wound and other extraordinary pensions and gratuities should be dealt with under Pension Regulations for the Army in India and/or Pakistan.

405. Government do not bind themselves to grant a pension or gratuity in every case or, if they grant a pension to grant it for life.

406. Every grant of pension under this chapter is subject to the provisions of rule 246.

407. In cases where considerable delay has occurred in applying for an extraordinary pension, the grant, if any, will take effect only from the date of the report by the Medical Board, or, in the case of a family pension, from such date as the sanctioning authority may decide. Otherwise the grant may be

made with effect from the date of wound, injury, or death; except that when it is made under Army Regulations, it has effect from the date therein prescribed.

408. When it is necessary to convert sterling pensions or gratuities awarded under the rules in this chapter into rupees, or rupee pensions or gratuities into sterling, the conversion shall be effected at the rate of exchange for the conversion of ordinary civil pensions.

409. Subject to the provisions of the "Civil Pensions (Commutation) Rules," the recipient of a pension awarded under the rules in this chapter may be allowed to commute a portion of it.

410. (a) If an officer is incapacitated for further civil service in consequence of a wound, injury or disability, in respect of which an extraordinary gratuity or pension is awarded to him under the provisions of this chapter, he will be eligible to receive, in addition to such extraordinary gratuity or pension, any ordinary civil pension or gratuity for which he may be eligible under the ordinary rules.

(b) In the event of his total qualifying service for civil pension rendering him eligible for invalid gratuity only, as distinguished from pension he may notwithstanding be granted at his option a pension calculated as follows in lieu of the gratuity:—

- (i) If he is a member of the Civil Service of Pakistan, at the rate of £30 a year for each completed year of active service, including any period passed with a military force in the circumstances described in rule 411.
- (ii) In other cases, at the rate of one sixtieth of his average emoluments for each completed year of service for pension, including any period passed with a military force in the circumstances described in rule 411.

Note—For the purpose of calculating ordinary civil pension or gratuity in the case of an officer who has been serving in a military capacity with a military force (see rule 419), his "emoluments" during the period of such service shall be taken to be those which he would have drawn if he had remained in civil employ, the calculation being made according to the "next below" rule where applicable.

SECTION II—WOUNDS, INJURIES, OR OTHER DISABILITIES SUSTAINED BY A CIVIL OFFICER WHILE SERVING WITH A MILITARY FORCE

411. The rules in this section apply to officers serving in circumstances justifying their presence with a military force if the connection of the officer with the force can reasonably be held to be due wholly or in part to the fact that he was at the time a civil officer of Government. This may be assumed without question in the case of any officer called out for actual service as a member of the Pakistan Army Reserve of Officers or of the Auxiliary Force, Pakistan, or the Pakistan Territorial Force, or attached to a Pakistan Unit or to a force under the orders of Government or operating in a country contiguous to Pakistan. If in any other case doubt arises as to the applicability or otherwise of the rules in this section the decision will rest with Government.

**A—CIVIL OFFICERS SERVING IN A CIVIL CAPACITY WITH A
MILITARY FORCE**

WOUND, INJURY, OR FAMILY PENSIONS OR GRATUITIES

Civil officers on pay of Rs.350 a month or over.

412. A civil officer in receipt of pay of Rs.350 a month or more, who may be serving in a civil capacity with a military force, may be granted by Government, a wound or injury pension or gratuity, and the family of such an officer is eligible for family pensions and gratuities, at the rates and under the conditions state in Army Regulations, India, Volume I (1915 edition), the rank of the civil officer for this purpose being the military rank assigned, or assignable, to him under rule in the field or his relative military rank in the table below, whichever is more favourable to the recipient :

(a) Heads of Provinces—

Class of Officer.	Relative Military Rank
Governor	General.

(b) Members of the Civil Service of Pakistan (except as above)—

Of more than 31 years' standing	Major-General.
Of more than 23, but not more than 31 years' standing	Colonel.
Of more than 18, but not more than 23 years' standing	Lieutenant-Colonel.
Of more than 12, but not more than 18 years' standing	Major.
Of more than 5, but not more than 12 years' standing	Captain.
Of not more than 5 years' standing	Lieutenant.

(c) Other Civil Officers on pay of not less than Rs.350 a month—

Monthly pay.	Relative Military Rank.
Rs.2,500 and over	Major-General.
Rs.2,000 ,, ,, but less than Rs.2,500	Colonel.
Rs.1,500 ,, ,, ,, ,, Rs.2 000	Lieutenant-Colonel.
Rs. 900 , ,, ,, ,, Rs.1,500	Major.
Rs. 700 ,, ,, ,, ,, Rs. 900	Captain.
Rs. 450 ,, ,, ,, ,, Rs. 700	Lieutenant.
Rs. 350 ,, ,, ,, ,, Rs. 450	Second Lieutenant.

413. A civil officer in receipt of pay of less than Rs.350, but not less than Rs.200 a month who may be serving in a civil capacity with a military force may be granted by Government a wound or injury pension or gratuity and the family of such an officer is eligible for family awards, under the conditions stated in Army Regulations, India, Volume I (1915 edition) in so far as they are applicable to Conductors and Sub-Conductors and at the rates specified below :

	When pay is less than Rs.250.	When pay is not less than Rs.250.
(i) Wound Pension ..	.. Rs.800 (or £ 60) per annum.	Rs.940 (or £ 70) per annum.
(ii) Injury Pension ..	.. Rs.480 (or £ 36) per annum.	Rs.600 (or £ 45) per annum.
(iii) Gratuity for a wound or injury received in action.	Rs.800 (or £ 60)	Three months' pay subject to a minimum of Rs.800 (or £ 60).
(iv) Family awards—		
(a) Widows' Pension ..	Not more than Rs.1,200 (or £90) and not less than Rs.600 (or £ 45) per annum.	
(b) Children's Allowance ..	{ If motherless, not more than Rs.300 (or £22½) and not less than Rs.167 (or £12½) per annum for each child. { If not motherless, not more than Rs.156 (or £12) and not less than Rs.83 (or £6½) per annum for each child.	

Note 1—The above rates of family awards shall be granted under the conditions laid down in Army Regulations, India, Volume I (1915 edition) for the grant of intermediate rates of those pensions and allowance only.

Note 2—Pensions, gratuities and children's allowances under this rule shall be paid in sterling if the person to whom payment is made is residing on the date of payment in a country where the rupee is not legal tender, and in rupees in all other cases.

414. The family pension of widow will cease on re-marriage; but in the event of her again be coming a widow, her pension may be restored upon proof that she is in necessitous circumstances and otherwise deserving. The pension to children will be continued to boys up to the age of 18 years and to girls up to 21 or marriage, whichever may happen first.

415. A civil officer in receipt of pay of Rs.200 a month or more, serving in a civil capacity with a military force, who is eventually invalided from his civil employment owing to disease attributable to, or aggravated by, such service, may be granted by Government, with effect from the date of invaliding, a pension equal in amount to the disability addition to his service pension which would have been awarded to him had he been a Regular Officer or a Warrant Officer of the Army, pronounced permanently unfit for military

service owing to disability attributable to, or aggravated by, such service. The rank for this purpose in the case of officers on pay of not less than Rs.350 a month shall be determined according to the table of the relative military rank in rules 412 and 413.

If the officer is in receipt of pay of less than Rs.350 a month, the pension admissible under this rule shall be equal to the disablement addition which would have been awarded to a Warrant Officer who has qualified by length of service for a retiring pension.

416. In awarding gratuities, pensions or allowances to families Government shall have discretion to make such modifications in the mode of allotment or conditions of tenure prescribed in Army Regulations, India, Volume I (1915 edition), as they may consider desirable with a view to adapting these to the legal or customary conditions applicable in the case of the families to be benefitted.

Civil officers on pay of less than Rs.200 a month.

417. A civil officer in receipt of pay of less than Rs.200 a month, who may be serving in a civil capacity with a military force, may be granted by Government a wound or injury pension or gratuity, and the family of such an officer, if he is killed on such service or dies of an illness or injury due to such service, may be granted a family pension, under the following rules:

(i) **Wound or Injury Pension—Higher**—At the rate of one-third of pay subject, if the officer is wholly incapacitated from earning a living to a minimum of Rs.10 a month.

Lower—At a rate not exceeding one-fifth of pay.

(a) The higher rate of pension will only be granted if the officer has sustained, as a result of his service with military force, a wound or injury occasioning the loss of an eye or limb or of the use of a limb, or equivalent in its effects to the loss of a limb.

(b) The percentage of pay to be awarded in the case of an officer eligible for pension on the lower scale will be decided by Government at their discretion, according to the severity of the injury.

(c) No pension will be granted unless the wound or injury is reported by a medical board to be severe.

(d) An officer may be recommended for a pension for each eye or limb of which he has lost the use through his service with the military force.

(e) A pension may be granted permanently, or temporarily for a period not exceeding one year in the first instance. In the latter case, the question whether the pension shall be continued, and, if so, at what rate and for what further period, will be left for subsequent determination.

(ii) **Family Pensions**—At the rate of one-half of the officer's pay.

(a) For the purpose of awarding a family pension under this rule, the term "family" includes only wife, legitimate child, father or mother, dependent upon the deceased for support.

(b) The pension is allotted;

- (1) to the eldest surviving son, for the support of the family;
- (2) failing a son, to the eldest widow, for the same purpose;
- (3) failing both sons and widows, to the eldest surviving unmarried daughter for the same purpose;
- (4) these failing, to the father, for the same purpose;
- (5) failing (1) to (4), to the mother, for the same purpose.

(c) The pension to a male is tenable as follows:

- (1) if the pensioner is under six years of age, till he is eighteen years old;
- (2) if not under six but under fifty years, for twelve years; and
- (3) if not under fifty years, for life.

(d) The pension to a female is for life or until marriage; but on her suitable marriage, Government may at their discretion grant her five years' pension as a dowry.

Note—A pension granted to a female infant who is a native of Asia shall, in the absence of special orders to the contrary, last until she leaves her own family to cohabit with her husband, or being married, attains the age of sixteen years, whichever event happens first.

(e) In the awarding a family pension under this rule Government have discretion to make such modification in the mode of allotment or conditions of tenure set forth in clauses (b) to (d) as they may consider desirable with a view to adapting these to the legal or customary conditions applicable in the case of the family to be benefitted, or to providing against the improper application of the pension or its premature cessation. They have also power to award the pension to a dependent who does not strictly fall within the definition of "family".

(f) On the cessation of the pension through death, marriage or other cause, Government have discretionary power to re-grant it, in whole or in part, to member of the family lower down in the scale prescribed in clause (b), who may have been dependent on it for support, and for such period as they may consider desirable, not exceeding that admissible under clause (c) or (d) for an original grant.

418. Pension or Gratuity in case of serious detriment to health—A civil officer of Government in receipt of pay of less than Rs.200 a month, who, when serving in a civil capacity with a military force, sustains in consequence of that service serious detriment to his health not entitling him to a pension under rule 417, may be granted by Government a special pension or gratuity fixed by them at their discretion with reference to—

(a) the scale of wound and injury pensions and gratuities which would be applicable, under rule 417, in his case,

- (b) the severity and probable permanence of the disability, and
- (c) the extent to which the disability may be merely an aggravation of one previously existing.

B—CIVIL OFFICERS SERVING IN A MILITARY CAPACITY WITH A MILITARY FORCE

419. If a civil officer of Government who is a member of the Auxiliary Force, Pakistan, or the Pakistan Territorial Force, is called out on actual military service, or if a civil officer is otherwise serving in a military capacity with a military force in circumstances justifying his presence, he may elect, if wounded, injured or otherwise disabled as a direct result of such service, to be treated either under the conditions laid down in rules 412 to 418 for a civil officer who is serving in a civil capacity with a military force, or under the military regulations governing his employment on military service. In the latter case, the award will be governed by his actual military rank. The election may be made at any time during the service or after it.

Note—If a civil officer serving in a military capacity with a military force elects to be treated under the conditions laid down in rules 412 to 418, his pay, for the purpose of those rules shall be taken to be that which would have drawn if he had remained in civil employ, the calculation being made according to the "next" below rule where applicable.

420. The family of a civil officer who loses his life through service in a military capacity with a military force will be treated according to the rules, civil or military, which the officer may have elected for himself, or, if no such election has been made, the family will be given the benefit of the rules most favourable to them.

SECTION III—WOUNDS, INJURIES, OR OTHER DISABILITIES SUSTAINED OTHERWISE, THAN ON SERVICE WITH A MILITARY FORCE

421. (1) The rules in this section provide for the grant of a pension or a gratuity to an officer who is injured, and to the family of such an officer who is killed or dies of injuries received, in the execution of public duty in circumstances other than those specified in Section II.

Note—Military personnel who receive wounds or injuries in the discharge of civil duties and the families of those officers who die of such wounds or injuries have no claim to injury gratuities and pensions under military rules and will be dealt with under the rules in this section.

(2) No gratuity or pension shall be sanctioned under this section except after the necessary medical report and the report of the audit officer have been obtained provided that if the officer lost his life in circumstances which render it impossible to procure a medical report, reliable evidence of the actual occurrence of death may be accepted in lieu thereof.

422. (a) When a claim for an extraordinary pension or gratuity under this section arises, the head of the department or of the office in which the deceased or injured officer was employed will hold a formal inquiry, taking evidence as to—

- (i) the circumstances in which the injury was received or the life lost;
- (ii) in the case of a death, the relationship and the pecuniary circumstances of the claimants.

(b) He will then submit the case, with a statement of the circumstances, through the usual channel to Government. The application should be in E.P.S.R. Form No. 2 in the case of an officer injured, and in E.P.S.R. Form No. 1 in the case of a deceased officer.

423. Except as provided below, grants under this section may be made only when injury or death is met in the performance of any particular duty which has the effect of increasing the officer's liability to injury or death beyond the ordinary risk of the civil appointment held by him. No claims shall be admitted on account of loss of life or bodily injury resulting from an accident to which an officer may be liable under the ordinary conditions of civil life or in connection with the ordinary discharge of his duty.

Note—The object of this rule is to limit the grant of a pension or gratuity under this section strictly to the cases for which it is intended. It is obviously inexpedient for Government to dispense charity in individual cases, or to do anything which might weaken the inducement to officers to secure proper provision for their families. All doubtful cases should be referred for the orders of Government, for consideration whether the conditions of this rule have been fulfilled with due regard to the principles laid down in it.

It has been decided that the performance of operations on venereal or septicamic patients, or the attendance by nurses or medical subordinates on such patients may be treated as duty involving extraordinary bodily risk. Any grant in accordance with this decision required the sanction of Government.

Police officers are often engaged in operations of exceptional risk, such as the dispersal of unlawful assemblies, suppression of riots or the arrest of dangerous criminals. It has been decided that injury or death met in the performance of duties of this kind renders the officer concerned or his family eligible for the benefits of the concession provided in Section III.

424. Where a police officer is injured or killed whilst in the actual performance of, or in consequence of, his duty a gratuity or pension may, if the injury or death was intentionally inflicted or caused, be granted to him or to his family, as the case may be, on the scale prescribed in rule 425.

Note—The E.P.R. personnel will be treated as Police Officer for the purpose of this rule.

425. If, in the circumstances described in rule 423, it be decided to award a gratuity or pension to a civil officer or his family, and the injury or death in respect of which the grant is to be made has been caused otherwise than on service with a military force, the amount and conditions of the award shall be those prescribed in sub-section A of Section II above, except that the award shall be made without reference to the military rank which might under rule have been assigned to the officer in the field if he had been serving with a military force, or to his actual military rank if he is a military officer in civil employ.

426. The Government have discretionary power to award extraordinary pensions or gratuities in special cases where the conditions of rule 423 are not strictly fulfilled, as, for instance, when an officer is killed or injured in or in consequence of the due performance of his official duties, or because of his official position.

427. If in the circumstances described in rule 426, it be decided to award a pension or gratuity to a civil officer or his family, the amount of the award

shall be fixed by Government with reference to the character and service of the officer, the nature of the risk undergone and his conduct in accepting it, and the pecuniary circumstances and prospects of the claimant, the maximum award being that which would be admissible in a corresponding case falling under rule 423. The form and conditions of the award shall ordinarily be the same as those prescribed for a corresponding case under that rule, but Government may modify these at their discretion, e.g., they may award an equivalent gratuity in lieu of pension, or *vice versa* if they think that this would be to the benefit of the recipient or desirable on grounds of administrative convenience.

428. Subject only to such conditions as they may impose, Government may grant to an officer who has been severely injured or has contracted a serious disease in the execution of public duty, or to the family of an officer who has died from the effects of such injury or disease, an extraordinary pension not exceeding Rs.25 a month, or a gratuity not exceeding the equivalent of that amount or Rs.1,000, whichever may be greater.

Note—A gratuity or pension may be granted under this rule to a village watchmen or his family, even though he receives no pay from the State.

CHAPTER XXV

APPLICATIONS FOR AND GRANT OF PENSIONS

SECTION I—GENERAL.

429. The rules in this Chapter apply to all officers applying for pension under these rules except Members of the Civil Service of Pakistan (Chapter XXVII).

430. All authorities dealing with applications for pensions under these rules should bear in mind that delay in the payment of pensions involves peculiar hardship. It is essential to ensure therefore that an officer begins to receive his pension on the date on which it becomes due.

431. Every officer shall submit a formal application of pension in Part I of Form 2. An officer should, in his own interest, submit his formal application for pension to the authority specified in rule 435 or 438, as the case may be, six months in advance of the date of his actual or anticipated retirement:

Provided that—

- (i) In cases in which the date of retirement cannot be foreseen six months in advance the application shall be submitted immediately after the date of retirement is settled; and
- (ii) An officer proceeding on leave preparatory to retirement in excess of six months, shall submit the application at the time of proceeding on such leave.

Note—This rule is intended to obviate delay in the settlement of claims for pension and to ensure that an officer may not retire under the misapprehension that he has earned a pension which is subsequently found to be inadmissible. There is indeed no limitation on the period after retirement within which an application for pension or gratuity must be submitted, but in the absence of special orders, a pension applied for after the officer has retired begins from the date of application. (See also rule 450).

432. The Audit Officer shall send to every Gazetted Officer a copy of rules 431 to 435 one year in advance of the date on which the officer attains his age of superannuation, or as soon as possible before the date from which he has formally sought permission to retire, if earlier, with the remark that there is likely to be delay in the commencement of his pension if he does not submit a formal application as soon as the rules permit.

433. Questions affecting the pension or pensionable service of an officer which for their decision depend on circumstances known at the time shall be considered as soon as they arise.

Any question which for its decision depends on possible circumstances that may arise in future or on hypothetical conditions may be raised or discussed as soon as the permissible period for submission of formal application for pension under rule 431 begins.

434. Except in cases covered by the first sentence of the proceeding rule or in individual cases under specific orders of Government an Audit Officer may not give advice upon any question connected with the claim of an officer to pension until the permissible period prescribed in rule 431 for the submission of formal application for pension begins.

SECTION II—APPLICATIONS

A.—GAZETTED OFFICERS

435. A Gazetted Officer shall submit the formal application for pension referred to in rule 431 to the Head of the Department or, if the officer is himself the Head of the Department, to the Head of the Administrative Department concerned.

436. (i) The authority receiving the formal application shall immediately draw up the application in E. P. S. R. Form No. 2.

(ii) He shall certify in section (7) of Part II of the form whether the character, conduct and past services of the applicant are such as to entitle him to the favourable consideration of Government. He shall also record there his own opinion whether the service claimed has been established and should be admitted or not.

(iii) All periods of extraordinary leave, suspension, etc., which are not reckoned as service should be carefully recorded on the form.

(iv) If the application is for an invalid pension, the requisite medical certificate shall be attached to the application.

Note.—If a medical examination of the applicant was not conducted on the date on which he ceased to perform duty the authority competent to sanction the pension may accept a medical certificate bearing a later date.

437. (a) After completing the application in the manner prescribed in the preceding rule, it shall be forwarded along with the necessary documents to the Audit Officer through the authority empowered to sanction the pension.

(b) If the applicant for pension (not gratuity) is no longer in active service, a last pay certificate shall be attached to the application except when he retires from service while on leave out of Pakistan and draws his leave salary at or through the office of the High Commissioner for Pakistan in the United Kingdom and also desires to draw his pension from the same source.

(c) The authority competent to sanction the pension shall record on the application after due consideration of the facts of the case his recommendation stating whether the pension claimed should be admitted or not.

(d) In the case of an officer part of whose service has been rendered in non-gazetted posts, the service book and the statement of non-gazetted service in section (2) of Part II of E. P. S. R. Form No. 2 duly verified under the provisions of rule 439, shall also accompany the pension papers sent to Audit Officer.

B.—NON-GAZETTED OFFICERS

Verification of Service.

438. A Non-Gazetted Officer shall submit a formal application for pension to the Head of the Office.

439. The Head of the Office shall prepare the statement of the Officer's service in section (2) of Part II of E. P. S. R. Form No. 2. and arrange for its verification according to the following procedure :

- (a) (i) In the case of an Officer for whom service books is maintained, all the information procurable shall be gathered from official records, like service book, pay bills and acquittance rolls, and necessary certificate of verification recorded on the said statement.
 - (ii) If the service cannot be wholly verified from the records of any one office, reference shall be made to the Heads of the other offices in which the officer had served.
 - (iii) If, in any particular case, it is not possible to verify the service of an officer from official records in the manner aforesaid, a statement of the officer in writing as to the particulars of his service, statements in writing of other officers who served contemporaneously with him, and documents and letters not forming part of official records may be received in evidence and the statement of officer's service verified on the basis thereof.
 - (iv) The power to admit service under the last preceding sub-clause shall be exercisable by the authority empowered to sanction pension under these Rules.
- (b) In the case of an officer for whom a service roll is maintained under rule (46) and rule (47) in Appendix No. 8 (unless a certificate of verification is already recorded thereon), the service shall be verified from the pay bills, acquittance rolls and other official records, or, where necessary, on the basis of such evidence as is mentioned in sub-clause (iii) of clause (a).
 - (c) In the case of police officers of rank not higher than Head Constables, the Inspector-General of Police may, without previous reference to the Audit Officer, allow claims to pension for the period only of continuous and verified service in the force in which at the time of application they are serving if the pension is admissible under the strict letter of the rules. A report with the necessary particulars of identification will be made to the Accountant-General. All other claims will be treated under the ordinary rule.

440. The preparation of the service statement and the verification of service in the manner set up in the preceding rule shall be undertaken by the Head of the Office as soon as it becomes known that an officer will retire within a period of one year or has proceeded on leave preparatory to retirement and shall not be delayed till the officer has actually submitted the formal application for pension.

441. (a) (i) After completing the verification in the manner indicated in rule 439 the Head of the Office shall draw up the application in E. P. S. R. Form No. 2.

(ii) He shall also follow the directions contained in clauses (ii) to (iv) of rule 436.

(iii) In any case in which it becomes necessary to resort to the procedure prescribed in sub-clause (iii) of clause (a) of rule 439 he shall record on the application the exact nature of the investigation made and the conclusion arrived at.

(b) He shall then arrange, with the application, all the documents relied upon for the verification of the service claimed in such manner that they can be conveniently consulted, and forward them together with the officer's service book, or service roll, as the case may be, and the statement in section (2) of Part II of E. P. S. R. Form No. 2 duly completed up-to-date [and the last pay certificate if necessary see rule 437(b)] through the authority empowered to sanction the pension to the Audit Officer.

(c) The authority competent to sanction the pension shall follow the procedure indicated in clause (c) of rule 437.

SECTION III—SANCTION

442. ((1) On receipt of the pension papers passed on to him under the provisions of rule 437 or 441, the Audit Officer shall apply the requisite checks, and

- (a) if he finds that the claim is in order, he shall forthwith prepare a provisional Pension Payment Order for full or reduced amount of pension in accordance with the recommendations of the sanctioning authority;
- (b) if he finds that the pension papers are complete but incorrect, he shall mark out the errors, work out the correct amount of pension and prepare a Provisional Pension Payment Order for the full or reduced amount depending upon the recommendations of the sanctioning authority.

(2) In either cases, the Provisional Pension Payment Order will be issued in anticipation of the formal sanction of the competent authority but in no case earlier than a fortnight before the date on which the applicant will be due to retire.

(3) Immediately after preparing the Provisional Pension Payment Order, the Audit Officer shall send a report to the sanctioning authority showing the amounts of pension and gratuity admissible under the rules and also mentioning the date on which the Provisional Pension Payment Order has been, or will be, issued. He shall retain the last pay certificate (see rules 437 and 441), except where the pension is to be paid in another circle of audit in which case he shall forward the certificate to the Audit Officer of that circle along with a copy of the order sanctioning the pension.

(4) In his report of the amount of pension admissible the Audit Officer shall always call special attention to rule 444(1).

(5) If the Audit Officer finds that the pension papers are incomplete, he shall return them promptly for completion.

443. (1) A pension which is certified by the Audit Officer to be clearly and strictly admissilbe under the rules shall be sanctioned—

- (a) in any case, by Government or such authority as may be empowered to do so,
- (b) in the case of non-gazetted officers, by the officer who has the authority to fill the appointment vacated by the retiring officer.

(2) The formal sanction for pension shall not be issued earlier than one month before the date on which the applicant is due to retire ; and

(3) On receipt of the formal sanction from the competent authority the Audit Officer shall convert the Provisional Pension Payment Order issued under clause (1) of rule 442 into a Final Pension Payment Order, with such variations as may be necessary, and the amounts, if any, already paid under the Provisional Pension Payment Order shall be adjusted against future payments to be made under the Final Pension Payment Order.

444. (1) Should the amount of pension granted to an officer be afterwards found to be in excess of that to which he is entitled under the rules, he shall be called upon to refund such excess.

(2) If after the pension report was made by the Audit Officer any event occurs which necessitates re-calculation of the amount of pension, the fact shall be promptly reported to the Audit Officer by the Head of the Department or the Head of the Office, as the case may be. If no such event has occurred the fact shall nevertheless be reported to the Audit Officer within a week from the date on which the officer retires.

SECTION IV—ANTICIPATORY

Pension.

445. (a) When an officer whose pension is payable in Pakistan is likely to retire before his pension can be finally assessed and settled in accordance with the provisions of the preceding section of this chapter, the Audit Officer shall sanction the disbursement of pension to which, after the most careful summary investigation that he can make without delay, he believes the officer to be entitled, provided that such disbursement shall be made only after the declaration specified below has been signed by the retiring officer :

Whereas the (here state the designation of the officer sanctioning the advance) has consented provisionally, to advance to me the sum of Rs. a month, in anticipation of the completion of the enquiries necessary to enable the Government to fix the amount of my pension, I hereby acknowledge that, in accepting this advance, I fully understand that my pension is subject to revision on the completion of the necessary formal enquiries, and I promise to base no objection to such revision on the ground that the provisional pension now to be paid to me exceeds the pension to which I may be eventually found entitled. I further promise to repay any amount advanced to me in excess of the pension to which I may be eventually found entitled.

Note.—If the sanction to pension under this clause is given by an Audit Officer other than the Accountant-General, he shall send a copy of his order to the Accountant-General for the issue of requisite orders for disbursement from the treasury concerned.

(b) When an officer whose pensions payable in England is likely to retire before his pension can be finally assessed and settled, the Audit Officer shall after the most careful summary investigation that he can make without delay, report to the High Commissioner for Pakistan, through the authority competent to sanction the pension and Government, the minimum amount to which he believes the officer to be entitled. The High Commissioner shall then, on receiving from the officer a declaration similar to that referred to in clause (a), at discretion, sanction the immediate disbursement of the amount reported or such smaller amount as may be deemed proper.

446. If the Audit Officer considers it likely that in a case contemplated by clause (a) or (b) of the preceding rule the officer would be entitled to a gratuity only, one-sixth of the amount of such probable gratuity should, upon similar declaration, be disbursed to him monthly until the amount is finally settled.

447. The payment of the anticipatory pension should be so arranged that it is not delayed beyond the first day of the month following the month in which the officer is due to retire.

448. If, upon the completion of regular investigation it be found that pension thus summarily assigned differs from the pension finally settled, the difference must be adjusted in the first subsequent payments :

Provided that, if a gratuity summarily assigned, under rule 446 proves to be larger than the amount found actually due upon completion of the enquiries, the officer shall not be required to refund any excess actually paid to him, except as provided in Chapter XXIII.

449. To enable the Audit Officer to exercise the jurisdiction entrusted to him under rule 445, the authority whose duty it is to sanction the pension, if he sees reason to believe that the pension cannot possibly be sanctioned by the date on which the officer is due to retire, shall furnish to the Audit officer without delay the fullest information regarding the Officer's service, the probable amount of pension, etc., unless the pension papers containing such information are already in the possession of the Audit Officer.

CHAPTER XXVI

PAYMENT OF PENSIONS

[N.B.—Payment of Pensions ex-Pakistan is subject to rules made by the Central Government from time to time.]

SECTION I—GENERAL RULES.

450. Apart from special orders, a pension, other than a Wound or Extraordinary pension is payable from the date on which the pensioner ceased to be borne on the establishment, or from the date of his application, whichever is later. The object of this latter alternative is to prevent unnecessary delay in the submission of applications. The rule may be relaxed, in this particular, by the authority sanctioning the pension when the delay is sufficiently explained.

The pension of an officer who, under rule 317, has received a gratuity in lieu of notice is not payable for the period in respect of which the gratuity is paid.

The preceding rule applies to ordinary, not to special, cases. If, under circumstances, a pension is granted long after an officer has retired, no retrospective effect should not be given to it without the special orders of Government which granted it; in the absence of special orders such a pension has effect only from the date of sanction.

452. In cases where considerable delay has occurred in making application for a Wound or Injury pension, it will be granted only from the date of the report by the Medical Board, and no application for a gratuity or pension will be entertained unless submitted within five years of the date of the wound or injury.

453. A pension is payable at any treasury in Pakistan, or, at the pensioner's option, from the office of the High Commissioner for Pakistan.

454. When a pension is stated in sterling, it is payable in the United Kingdom, or, at the option of the pensioner, if he be residing in Pakistan, at any treasury in Pakistan, converted into rupees at the prescribed rate of exchange;

Provided that pensioners of the following classes may, at their option, convert their pensions into rupees at the rate of 1s. 4d. to the rupee as long as they are in Pakistan and continue to have their permanent residence there: —

(i) Pensioners resident in India or Burma, who were on the 1st February, 1921, in receipt of pensions converted at that rate.

(ii) Pensioners of Indian domicile who were, on the 1st February, 1921, temporarily drawing their pensions in sterling.

(iii) Pensioners who were in Government service on the 1st February, 1921, and who at that date were of Indian domicile :

Provided further that the pension of any pensioner referred to in clauses (i) (ii) or (iii), who has commuted any portion of his pension after the 10th day of October, 1928, shall be converted at the prescribed rate of exchange as hereinbefore provided, and to the resulting pension shall be added, so long as he is in Pakistan and continues to have his permanent residence there, the difference between the values of the full sterling pension less any portion commuted before the 11th October, 1928, converted at that rate and at the rate of 1s. 4d. respectively.

455. A pension stated in rupees is payable at any Pakistani Government treasury in or out of Pakistan or at the option of the pensioner,

(i) at or through the office of the High Commissioner for Pakistan in U. K., or

(ii) elsewhere by any of the authorities mentioned in Appendix No. 6.

Pension drawn from source (i) or (ii) above are converted into sterling at such rate as prescribed by Government :

Provided that save where a pensioner resides in Pakistan the minimum rate of conversion shall be 1/9 per rupee.

456. A pensioner who has been residing in Pakistan and who proceeds to a place outside Pakistan with the object of taking residence there, shall be entitled to convert his pension at the minimum rate only from the date when he quits Pakistan.

457. A pensioner who within six months of his retirement leaves Pakistan with the object of taking up residence elsewhere shall be entitled to convert his pension at the minimum rate from the date to which it has been paid in Pakistan or, if not payment has been made there, from the date of its commencement.

458. A pensioner who has been allowed to convert his pension at the minimum rate and who returns to Pakistan and continues to draw his pension at or through the Office of the High Commissioner for Pakistan in U. K. or from any of the authorities mentioned in Appendix No. 6 shall be allowed the benefit of the minimum rate for six months from the date of such return.

459. The pension of any pensioner who is entitled to the minimum rate and who has commuted any portion of his pension after the 4th December, 1928, shall be converted at the rate of exchange prescribed by Government and to the resulting pension shall be added, so long as he remains entitled to the minimum rate, the difference between the values of the full pension (less any portion commuted before the 5th December, 1928) converted at that rate and at the rate of exchange prescribed by Government respectively.

460. The minimum rate shall apply to gratuities paid to persons residing outside Pakistan but where the service of an officer to whom a gratuity is granted terminates in Pakistan his gratuity shall be paid in Pakistan.

Transfers between England and Pakistan.

461. Transfer of a pension payable from a Pakistan treasury to another country and *vice versa* is permitted within reasonable limits whenever desired

Note—Frequent transfers of a pension to and fro are not permissible, and the Accountant General concerned should report to Government, for special orders, any case in which it appears to him that undue advantage is being taken of the rule.

462. Application for transfer of payment from Pakistan to the United Kingdom should be made to the Accountant-General within whose jurisdiction the treasury of payment is, who will grant a last pay certificate, forwarding a duplicate, with a copy of the first page of the application upon which the pension was originally granted, to the High Commissioner for Pakistan.

SECTION II.—PAYMENT IN PAKISTAN

463. (a) The order granting a pension to be paid in Pakistan should be forwarded with a copy of the first page of the application in E. P. S. R. form No. 2 or of the whole application if in E. P. S. R. Form No. 1, to the Audit Officer who submitted the application. He should compare the order with his report and then forward a copy thereof to the Accountant-General of the province in which payment is to be made.

(b) In the case of persons for whom the forms referred to in clause (a) are not used, the information required for the Pension Payment Order should be communicated in a separate letter to the Accountant-General of the province where payment is to be made.

(c) In the case of pensions to Police Officers of rank not higher than head constable, sanctioned under Note to rule 439(b) the order should be forwarded to the Audit Officer who would have reported on the claim had his certificate not been dispensed with. He will exercise the necessary check with reference to rule 444(1) and endorse it as in clause (a) above.

464. The Accountant-General of the province in which payment is to be made will then communicate to the officer who is to pay pension authority to make the payment: in the case of a pension, such authority will be a Pension Payment Order in E. P. S. R. Form Nos. 3 and 4.

Note—Each pension payment order will be accompanied by E. P. S. R. Form No. 3A intended to be delivered by the Disbursing officer to the pensioner concerned for use as a wallet for the pensioner's half of the Pension Payment Order.

Procedure in Paying.

465. A gratuity is paid in a single sum, and not by instalments, on receipt of the Accountant-General's authority.

466. A gratuity may, at the discretion of Government, or with the sanction of Government on the application of the recipient, be converted either into a life annuity, or into a temporary life annuity, or into an annuity payable for a fixed number of years with remainder to the annuitant's heirs in case of his death. The amount of the life annuity will be determined by the table prescribed under the "Civil Pensions (Commutation) Rules", while that of the temporary life annuity will be determined in each case in consultation with the Actuary to the Government of Pakistan on the assumption of the same rates of interest and mortality on which the table prescribed under the "Civil Pensions (Commutation) Rules" is based.

467. Government will never insist on the conversion of a gratuity into an annuity, unless the expectation of life of the officer be reported by competent medical authority to be equal to the average.

468. A pension is payable in Pakistan monthly on and after the first day of the following month under the following rules :—

- (1) On receipt of the Pension Payment Order, the disbursing officer will deliver one-half to the pensioner, and keep the other half carefully in such manner that the pensioner shall not have access thereto.
- (2) Each payment made is to be entered on the reverse both of the pensioner's half and of the disbursing officer's half of the Pension Payment Order, both entries being attested at the time of payment by the signature of the disbursing officer.
- (3) With reference to rules 481 and 482 a pension should under no circumstances, be paid for the first time in arresars for more than one year without special orders of Government.
- (4) A pension is payable for the day on which the pensioner dies.
- (5) In regard to the liability of pensions to attachment by a Civil Court, see section 11 of Act XXIII of 1871, which runs as follows :—

Section II.—“No pension granted or continued by Government on political considerations, or on account of past services or present infirmities or as a compassionate allowance, and no money due, or to become due, on account of any such pension or allowance, shall be liable to seizure, attachment or sequestration by process of any Court in British India at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a decree or order of any such Court.”

Identification of Pensioner.

469. As a rule a pensioner must take payment in pension after identification by comparison with the Pension Payment Order.

470. A pensioner specially exempted by Government from personal appearance, a female pensioner not accustomed to appear in public, or a male pensioner who is unable to appear in consequence of bodily illness or infirmity may receive his or her pension upon the production of a life certificate signed by a responsible officer of Government or by some other well-known and trustworthy person.

Note—Heads of Departments and District Officers have been authorised to grant exemption from personal appearance under this rule to persons drawing pensions.

471. A pensioner of any description who produces a life certificate signed by some person exercising the powers of a Magistrate under the Criminal Procedure Code or by any Registrar or Sub-Registrar under the Registration Act or by any pensioned officer who before retirement exercised the powers of a Magistrate or held a Gazetted appointment or by a Chaplain or any Gazetted Officer of Government or by a Munsif or by a Member of the Central or the Provincial Legislative Assembly is also exempted from personal appearance

472. (a) In all cases referred to in rules 470 and 471, the disbursing officer must take precautions to prevent impositions, and must, at least once a year, require proof independent of that furnished by the life certificate of the continued existence of the pensioner.

(b) For this purpose he should (save in cases of exemption from personal appearance granted by Government) require the personal attendance and due identification of all male pensioners who are not incapacitated by bodily illness or infirmity from so attending, and in all cases where such inability may be alleged, he should require proof thereof in addition to the proof submitted of the pensioner's existence.

(1) The disbursing officer is personally responsible for any payment wrongly made. In case of doubt, he should consult the Accountant-General.

(2) A pensioner of rank may be privately identified by the disbursing Officer and need not be required to appear at a public office.

473. Payment of pensions to Police pensioners are made in accordance with the rules in this section, but if the disbursing officer entertains any doubt as to the identity of such a pensioner, he may require the local Inspector of Police to identify him. The Inspector would then be responsible for the correct identification of the pensioner.

Payment to Agents.

474. (a) A pensioner not resident in Pakistan may draw his pension at any treasury in Pakistan through a duly authorised agent, who must either produce a certificate by a Magistrate, a Notary, a Banker, or a Minister of religion on each occasion, that the pensioner was alive on the date to which his pension is claimed, or execute a bond to refund overpayments and produce such a certificate as aforesaid at least once a year.

(b) A pensioner of any description resident in Pakistan is exempted from personal appearance if he draws his pension through a duly authorised agent approved by Government, who must execute a bond to refund overpayments and produce at least once a year a life certificate signed by any of the persons authorised by rule 471 to sign such certificates.

(c) The pension of an officer drawing his pension through an agent who has executed a bond to refund overpayments should not be paid on account of a period of more than a year after the date of the life certificate last received and the Accountant-General and the disbursing officer should be on the watch for authentic information of the decease of any such pensioner, and on receipt thereof, should promptly stop further payments.

Transfer in Pakistan.

475. Government or an Accountant-General may, on application and on sufficient cause being shown, permit transfer of payment from one treasury in Pakistan to another. This power may be exercised by a Divisional-Commissioner

476. (a) A copy of any order issued by Government or other [Executive authority under the preceding rule should for forwarded to the Accountant General, and the Collector of the district from which the payment is to be transferred should be instructed to return his half of the Pension Payment Order.

(b) The Accountant-General will then either issue a new payment order, or encase the payment order for payment at the new treasury and forward it to the Treasury Officer who will in future pay the pension, or, if the treasury is in another province, will move the Accountant-General of that province to do so.

477. A Treasury Officer may authorise payment in any of the outlying treasuries subordinates to his district of a pension payable under proper authority at his headquarters, and may transfer the payment of a pension from such subordinate treasury to the district treasury, or from one subordinate treasury to another in the same district.

Certificate of non-Employment.

478. (a) A pension drawing pension in Pakistan is required to append to his bill a certificate as follows:—

“I declare that I have not received any remuneration for serving in any capacity, either under Government or under a Local Fund during the period for which the amount of pension claimed in this bill is due.”

(b) In the case of a pensioner permitted under Chapter XXIII to draw pension after re-employment, this certificate should be modified according to the facts.

(c) In the case of a pensioner drawing his pension through an agent, who has executed a bond of indemnity, as required under S.R. 187 and S.R. 188 of the Treasury Rules, Bengal and Subsidiary Rules made thereunder, the certificate modified accordingly may be signed by the agent, provided that the pensioner shall himself furnish, once a year, a certificate covering the period for which pension has been drawn on the basis of the agent's certificates.

Renewal of Pension Payment Order.

472. When the reverse of a Pension Payment Order is filled up, or when the pensioner's half is found to be worn or torn, both halves may be renewed by the Treasury Officer.

480. If a pensioner loses his half of the Pension Payment Order, a new Order may be issued by the Treasury Officer, who should see that no payment is made on the half alleged to be lost by a strict observance of sub-rule (2) under rule 468. The necessary note should be made in the remarks column of the Register in T.R. Form No. 40.

Lapses and Forfeitures.

481. If a pension payable in Pakistan remains underdrawn for more than one year, the pension ceases to be payable.

482. If the pensioner afterwards appears, the disbursing officer may renew his payments. But the arrears cannot be paid if the pension in arrears is to be paid for the first time or if the amount of arrears exceeds Rs.1,000 without the previous sanction of the authority by whom the pension was sanctioned to be obtained through the Accountant-General.

Note—The power of Government under this rule has been delegated to all heads of Departments.

483. If the suspension of payment is attributable to error or neglect by any public officer, the Accountant-General may direct payment of the arrears without taking the orders of Government.

Deceased Pensioners.

484. (a) On the death of a pensioner, payment of any arrears actually due may be made to his heirs, provided that they apply within one year of his death. It cannot be paid thereafter without the sanction of the authority by whom the pension was sanctioned to be obtained through the Accountant-General.

Note—In cases where the pension is sanctioned by Government its powers under this rule may be exercised by the heads of Departments.

(b) But if the arrears do not exceed Rs.100 and the case presents no peculiar features the Accountant-General is empowered to pass the arrears on his own authority.

(c) After payment of the arrears of pension, the Pension Payment Order should be returned to the Accountant-General with a report of the date of the death of the pensioner.

485. Subject to the provisions of the preceding rule, the arrears of pension of a deceased pensioner may be paid to the heirs of the deceased, without the production of the usual legal authority to the extent of Rs.500 under the orders of the Collector or other officer responsible for the payment, after such enquiry into the rights and title of the claimants as may be deemed sufficient. Any excess above Rs 500 may similarly be paid under the orders of Government on execution of an indemnity bond, with such sureties as it may require, if it is satisfied of the right and title of the claimant and considers that undue delay and hardship would be caused by insisting on the production of letters of administration.

In any case of doubt, payment should be made only to the person producing legal authority.

486. If an officer dies before actually retiring or being discharged, his heirs have no claim to anything in respect to his pension.

SECTION III—PAYMENT IN THE UNITED KINGDOM

487. When a pension is granted to an officer who desires that payment thereof from the date of its commencement should be made in the United Kingdom, the Audit Officer who audits the pay of the officer should, on receipt of sanction to the grant of pension, issue a last-pay certificate and forward.

to the High Commissioner for Pakistan a duplicate thereof, together with a copy of the first page of the application for pension and of the order of Government or other authority granting the pension. The forwarding letter should always request that payment be made from some specific date, the date being ascertained from the last-pay certificate.

488. If the pension is not wholly chargeable against the General Revenues, care must be taken to state in the certificate how it is to be charged.

489. The annuities and pensions of all officers are issued by the High Commissioner monthly in arrear on the 16th day of each calendar month.

They are made up to the following quarterly dates, viz., to the 15th March, 15th June, 15th September and 15th December, and they are paid in monthly instalments, the first two instalments in each quarter being the net amount accrued, omitting shillings and pence, and the third instalment being the balance due for the quarter.

490. Intimation of any revision of a pension paid in the United Kingdom should be made to the High Commissioner for Pakistan, so as to reach him before the pensioner is informed.

SECTION IV—PAYMENT IN A COLONY

491. The rules in this section apply to pensions granted under the rules in any of the chapters. The pension of a pensioner residing in any Colony may be made through the payment officer noted against the places mentioned in Appendix No. 6.

Issue of Warrant.

492. The authority for payment of a pension in a Colony shall be a Warrant in E. P. R. Form No. 5 to be issued by the Accountant-General of the province to the cadre of which the retiring officer belongs.

493. Every Warrant shall be issued in triplicate. The original, bearing the payee's signature, should be forwarded to the Colonial authority concerned, the duplicate to the High Commissioner for Pakistan, and the triplicate should be made over to the payee. Each payment should be endorsed on the back of both the original and the triplicate Warrant, an acknowledgement of receipt of money being rendered by the payee. When no space for such entries remains, or when a Warrant is lost or destroyed, a fresh Warrant shall be issued by the officer who issued the original Warrant on application being made through the Colonial Disbursing Officer. The letter forwarding the duplicate Warrant to the High Commissioner should invariably furnish the following information viz:—

- (1) Whether the pensioner is already on leave in the Colony.
- (2) Date of his retirement.
- (3) Date of leaving Pakistan.
- (4) Date of birth.

Transfer of Payment.

494. (a) Transfer of a pension from a treasury in Pakistan to a Colony the payments in which are adjusted in the accounts of the office of the High Commissioner is permitted only once; but a pensioner can at any time have payment transferred from a Colony to a treasury in Pakistan, or from a Colony the payments in which are adjusted in the accounts of the office of the High Commissioner in the United Kingdom for direct payment from the latter.

(b) In case a pensioner desires transfer of payment of his pension from one Colony to another, Government will recognise the proceedings of the Colonial authorities sanctioning such transfer which should, however, be reported separately by the pensioner to Government and to the High Commissioner for Pakistan.

495. Upon his return to Pakistan an officer should deliver up his copy of the Warrant, which will serve the purpose of a last pay certificate.

CHAPTER XXVII

PENSIONS TO MEMBERS OF THE CIVIL SERVICE OF PAKISTAN

SECTION I—APPLICATIONS

Retirement while on duty in Pakistan.

[The Rules in this chapter are subject to the Rules made by the Government of Pakistan in this matter.]

496. A retiring officer of the Civil Service of Pakistan shall, if he be in Pakistan, submit his application for permission to resign the Service and or an annuity or gratuity to Government on whose cadre he is borne at the time. If he is employed under another Local Government or under a Department of the Government of Pakistan, the application should be sent through such other Local Government or Department of the Government of Pakistan. The Local Government on whose cadre the officer is borne will, on receipt of the application obtain the report of the Accountant-General, upon the officer's claim in respect of service and active service. If the officer is under the audit of another Accountant-General, the Accountant-General of the province to the cadre of which the officer belongs will obtain from the other Accountant-General the information required for his report.

Note 1—When reporting on the officer's claim in respect of service and active service, the Accountant-General should send the officer a copy of rule 499.

Note 2—As soon as an officer gives over charge of his office, the Accountant-General should furnish the following information to Government, or, if the officer belongs to the cadre of another province, to the Accountant General of that province, who will pass it on to the Local Government:—

- (1) Name of officer.
- (2) Date on which he made over charge of his office.
- (3) The amount of leave granted, if any.
- (4) Date up to (and including) which leave allowances have been drawn.
- (5) What demands, if any, are outstanding against the officer.

The annuity or gratuity should be sanctioned subject to the recovery of these outstandings.

Retirement during leave to Europe.

497. (a) An officer who wishes to retire from the Service while on leave in Europe must submit his application to the office of Local High Commissioner for Pakistan.

(b) When an officer makes his application under this rule, whether after completing his full period of service or after having been declared by the Medical Board to be unfit for further service in Pakistan, his resignation is accepted subject to the adjustment of any demands that may be standing against him in Pakistan; and he is directed to apply to the Local Government on whose cadre he was borne at the time of retirement for the annuity or gratuity to which his length of service may entitle him.

Grant of Pension.

498. (a) The annuity or gratuity will be sanctioned by the Government on whose cadre the retiring officer is borne at the time of retirement.

(b) The copy of the sanctioning order forwarded to the officer will be his authority for drawing his annuity or gratuity.

SECTION II—PAYMENT

499. An officer on resigning the service must report to the Local Government on whose cadre he is borne the place at which he desires that his annuity should be paid, and if he is leaving Pakistan, the date of departure of the vessel in which he sails.

Note—A copy of this rule should be furnished by the Accountant-General to every officer who applies in Pakistan for permission to resign, with the intimation that there will be delay in the commencement of his annuity if he does not furnish the information required by this rule. (See also Note I under rule 496).

500. Annuities are payable in arrear, monthly, and to date of decease.

501. (1) When payment of annuities or gratuities is taken from the office of the High Commissioner for Pakistan in the United Kingdom, it may be taken at the option of the recipient either in rupees converted into sterling at the prescribed rate of exchange or at the fixed sterling minimum, if any.

(2) When payment of annuities or gratuities is taken in Pakistan it may be taken at the option of the recipient either in rupees or at the fixed sterling minimum converted into rupees at such rate of exchange as may be prescribed:

Provided that annuitants of the following classes may, at their option, receive the fixed sterling minimum converted into at the rate of 1s.4d. to the rupees as long as they are in Pakistan and continue to have their permanent residence there—

(i) Annuitants resident in Pakistan who were on the 1st February 1921 in receipt of annuities converted at this rate.

(ii) Annuitants of Pakistan domicile who were, on the 1st February, 1921 temporarily drawing their annuities in sterling.

(iii) Annuitants who were serving in the Indian Civil Service on the 1st February, 1921, and who at that date were of Indian domicile:

Provided further that the annuity of any annuitant referred to in clauses (i), (ii) or (iii), who has commuted any portion of his annuity after the 10th day of October, 1928, shall be converted at the prescribed rate of exchange as hereinbefore provided, and to the resulting annuity shall be added, so long as he is in Pakistan and continues to have his permanent residence there, the difference between the values of the full sterling annuity (less any portion commuted before the 11th October, 1928), converted at that rate and at the rate of 1s. 4d. respectively.

502. Transfer from the office on the High Commissioner, or Pakistan to a treasury in Pakistan and *vice versa*, is permitted twice only.

503. Whenever a certificate is issued for the payment of an annuity from the office of the High Commissioner in the United Kingdom, the amount of the annuity must be stated in pounds sterling and not on rupees, and, in the case of transfer of payment from Pakistan to the office of the High Commissioner for Pakistan in the United Kingdom it must be distinctly recorded that no further payment on account thereof will be made in Pakistan.

504. An officer who resigns the Service while he is in Europe, and who has completed the requisite period of service and residence and elected to draw his annuity from the office of the High Commissioner for Pakistan in the United Kingdom, can obtain advances from the High Commissioner for pending receipt of the authority referred to in rule 498.

505. Payment of annuities may be made in any Colony through the paying officer noted against the places mentioned in Appendix No. 6 and in accordance with the procedure laid down in rules 491 to 495.

APPENDIX No. 1.

[Rule 5 (28)]

Heads of Departments.

1. Board of Revenue.
2. Chairman, Governor's Inspection Team.
3. Director of Public Instruction.
4. Director of Health Services.
5. Inspector-General of Police.
6. Inspector-General of Prisons.
7. Chief and Superintending Engineers (Departments of Works, Power and Irrigation).
8. Commissioners of Divisions.
9. District and Sessions Judges.
10. Chief Conservator of Forests.
11. Director of Taxation and Excise.
12. Director of Agriculture. (Research and Education).
- 12(a). Director of Agriculture. (Extension and Management).
13. Director of Land Records and Surveys.
14. Director of Livestock Services.
15. Advocate-General.
16. Inspector-General of Registration.
17. Director of Commerce and Industries.
18. Director of Supply.
19. Superintendent and Remembrancer of Legal Affairs.
20. Registrar of Co-operative Societies.
21. Chief Engineer, Public Health Engineering.
22. Chairman, Public Service Commission.
23. Commissioner for Workmen's Compensation.
24. Secretaries to Government in respect of officers who are not subordinate to any of the other Heads of Departments mentioned in this list.
25. Director of Agricultural Marketing.
26. Director of Fisheries.
27. Director of Fire Services.
28. Director of Labour.
29. Director, Provincial Statistical Board and Bureau of Commercial and Industrial Intelligence, East Pakistan.
30. Director-General, East Pakistan Rifles.
31. Director of Ansars.

32. Director of Jute, East Pakistan.
 33. Director of Procurement and Distribution.
 34. Controller of Coal, East Pakistan.
 35. Director of Government Transport, East Pakistan.
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APPENDIX No. 2.

[Omitted].

APPENDIX No. 3

(Rule 149.)

Authorities empowered to grant leave to gazetted Government servants.

Authority.	Conditions.
1. Director of Agriculture	.. Up to four months on average pay to officers of the Agricultural Directorate.
2. Director of Commerce and Industries	.. Up to four months on average pay to officers subordinate to him provided that subject to the approval of Government local arrangements can be made by him for their work without extra expenditure for the discharge of their duties during leave.
3. Director of Land Records and Surveys	Up to four months on average pay to Survey Officers.
4. Commissioners of Divisions	.. Up to six weeks on average pay to Sub-Deputy Collectors employed on general duty, provided local arrangements can be made for their work.
5. Director of Public Instruction	.. (a) Up to four months on average pay to officers of the Education Directorate, and (b) except to such officers appointed on contracts, the above leave in combination with vacation and holidays.
<i>Note</i> —He may make officiating appointments in vacancies created by the exercise of the above powers, provided that reports of such appointments are submitted to Government for notification.	
6. Inspector-General of Police	.. Up to six weeks on average pay to officers subordinate to him, provided local arrangements can be made for their work.
7. Board of Revenue	.. Up to six weeks on average pay to Sub-Deputy Collectors employed as Assistant Settlement Officers.
8. Conservator of Forests	.. Up to three months on average pay to officers subordinate to him, provided local arrangements involving no enhancement of pay of any other officer can be made for their work.
9. Director of Health Services	.. Up to three months to all gazetted officers of the East Pakistan Medical Service (Upper) and East Pakistan Medical Service (Lower) excluding Civil Surgeons, provided local arrangements can be made for their work without extra expenditure for the discharge of their duties during leave.
10. Chief Engineer, Public Health Engineering	Up to four months on average pay to all gazetted officers subordinate to him provided local arrangements can be made for their work.
11. Director of Taxation and Excise	.. To Inspectors of Excise, provided that the sanction of Government is obtained to any officiating appointment in the resultant vacancy.
12. The Foreign Employer	.. Up to four months on average pay to officers on foreign service, subject to rule 145.

Authority.	Conditions.
13. Chief Engineer, Communications and Buildings.	<p>(a) Up to 4 months on average pay to members of the East Pakistan Engineering Service other than those in temporary charge of a division, provided the grant of leave does not involve the transfer of, or adversely affect a member of the Central Service of Engineers, and provided it does not involve the appointment of additional officers.</p> <p>(b) Up to 4 months on average pay to Electrical Assistant Engineers, provided the grant of leave does not involve appointment of additional officers.</p>
14. Chief Engineer, Irrigation	Up to 4 months on average pay to members of the East Pakistan Engineering Service other than those in temporary charge of a division, provided the grant of leave does not involve the transfer of, or adversely affect a member of Central Service of Engineers, and provided it does not involve appointment of additional officers.
15. Commissioner of Commercial Taxes ..	Up to 1 month on average pay to the Commercial Tax Officers, provided local arrangements can be made for their work without extra expenditure for the discharge of their duties during leave.
16. Director of Provincial Statistical Board and Bureau of Commercial and Industrial Intelligence.	Up to six weeks on average pay to officers subordinate to him, provided local arrangements can be made by him for their work without extra expenditure for the discharge of their duties during leave.
17. Director-General, East Pakistan Rifles ..	Up to six weeks on average pay to officers subordinate to him, provided local arrangements can be made for their work.

Note 1.—Where the power to grant leave is conditional upon local arrangements being made to carry on the duties, there must be no expenditure on travelling allowance. Officiating arrangements may, however, be made, if no transfers are involved, unless the contrary is expressly stated.

Note 2.—In relation to officers to whom section II of Chapter XV applies, attention is drawn to sub-clause (b) of clause (32) of rule 5.

APPENDIX No. 4.

[The scales of pay shown in this Appendix may be read as superseded by subsequent revisions of the scales of pay].

(Rule 150.)

Authorities empowered to grant leave to non-gazetted Government Servants.

Class of officers.

Sanctioning authority and conditions.

I. Education Department—

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|--|--|
| <p>(1) Demonstrators of Government colleges and Government Commercial Institute; Assistant Maulvis of Dacca Madrasah and officers of similar status in the scale of Rs. 150—10—400 (unrevised), Rs. 125—25/2—150—20/2—250—15/2—310—20/2—350 (revised) and Rs. 175—10—285—15—450 (further revised).</p> | <p>(1) The governing bodies of colleges and madrasahs, Board of Management of Government Commercial Institute, governing bodies of Government School of Art and Managing Committee of the Eden High School for Girls, Dacca, may grant leave of all kinds, to the officers under their respective control for periods not exceeding four months.</p> |
| <p>(2) Assistant Head Masters and Assistant Head Mistresses of Government High and Normal Schools, Head Mistresses of Vernacular Training Schools for Women, Subdivisional Inspectors of Schools, and officers of similar status in the scale of Rs. 150—10—250 (unrevised), Rs. 130—10/2—140—20/2—220 (revised,) and Rs. 200—10—300 (further revised).</p> | <p>(2) The Divisional Inspectors of Schools, the Inspectresses of Girls' Schools, the Principals of Government Colleges and Madrasahs in respect of High and Normal Schools under their administrative control may grant leave of all kinds, to the officers under their respective control for periods not exceeding four months.</p> |
| <p>(2) (a) Assistant Sub-Inspector of Schools ..</p> | <p>(2)(a) District Inspector of Schools may grant leave of all kinds not exceeding 4 months.</p> |
| <p>(3) Assistant Maulvis of Dacca Madrasah ..</p> | <p>(3) The Governing Body of the Dacca Madrasah may grant them leave of all kinds, for periods not exceeding four months.</p> |
| <p>(4) Assistant Teachers of the Vernacular Training Schools for Women.</p> | <p>(4) The Inspectresses of Girls' Schools may grant them leave of all kinds, for periods not exceeding four months.</p> |
| <p>(5) Assistant Teacher of Government School of Art.</p> | <p>(5) The Governing Body of the Government school of Art may grant him leave of all kinds for periods not exceeding four months.</p> |
| <p>(6) Assistant Masters and Maulvis of Government High and Normal Schools and Madrasahs, Head Masters of Middle English and Guru-Training Schools, Laboratory Assistants of Colleges, Physical Instructors of Colleges and Schools, Assistant Teachers of Government Schools of Art, Sub-Inspectors of Schools and officers of similar status in the scale of Rs. 75—5—200 (unrevised), Rs. 75—8/2—115—5/2—135—10/2—175 (revised) and Rs. 125—5—180—10—250 (further revised).</p> | <p>(6) The power of granting leave of all kinds for periods not exceeding four months, is delegated to the following authorities.—</p> <p>(i) The Divisional Inspectors of Schools to officers under their respective control.</p> <p>(ii) The Principals of Government Colleges (including Dacca Islamic Intermediate College) and of Dacca Madrasah to English and Arabic Teachers and Head Masters of Middle English Schools and Junior Madrasahs serving in the institutions under their administrative control.</p> |

Class of officers.

Sanctioning authority and conditions.

- (iii) The Inspectresses of Girls' Schools to officers serving in the institutions under their administrative control.
- (iv) The Governing Bodies of Dacca Islamic Intermediate College and of Government Senior Madrasahs to English teachers serving in the institutions under their administrative control.
- (v) The Governing Body of the Government School of Art to officers serving in the School.
- (vi) The Managing Committee of the Eden High School for Girls, Dacca, to the officers serving at the School.

N.B.—The Governing Bodies of Government Colleges (including the Dacca Islamic Intermediate College) and of Dacca Madrasah, who possess powers of making appointments of Laboratory Assistants, Physical Instructors, Drawing Masters and Arabic Teachers in the scale of Rs. 75—5—20 (unrevised), Rs. 75—8/2—115—5/2—135—10/2—175 (revised), and Rs. 125—5—180—15 (further revised) are competent to grant leave without limit to the officers concerned. They will continue to exercise those powers unrestricted.

- (7) Senior classical teachers, Government High and Normal Schools, Drawing Masters of Normal Schools, Gymnastic Masters of Colleges and Schools, English and Arabic teachers of Government Madrasahs and officers of similar status in the scale of Rs. 40—4—160 (unrevised), Rs. 60—7/2—95—5/2—140 (revised) and Rs. 100—5—200 (further revised).
- (7) The power of granting leave of all kinds for periods not exceeding four months, is delegated to the following authorities:—
 - (i) The Divisional Inspector of Schools to officers and under their respective control.
 - (ii) The Principals of Dacca Islamic Intermediate College and Dacca Madrasah to officer serving in the institutions under their administrative control.
 - (iii) The Inspectresses of Girls' Schools to officers serving in the institutions under their administrative control.
 - (iv) The Governing Bodies of Chittagong and Rajshahi Madrasahs, to officers serving in those Madrasahs.

[*N.B.*—The Governing Bodies and Principals of Government Colleges, who already possess powers of making appointments in the scale of Rs. 60—4—160 (unrevised), Rs. 60—140 (revised), and Rs. 100—5—200 (further revised) are competent to grant leave without limit to the officers concerned will continue to exercise those powers unrestricted.]

- (8) Assistant Masters of Government Madrasahs
- (8) The power of granting leave of all kinds for periods not exceeding four months, is delegated to the following authorities:—
 - (i) The Governing Bodies of Chittagong and Rajshahi Madrasahs, to officers serving in those Madrasahs.
 - (ii) The Principal of Dacca Islamic Intermediate College, to officers serving in Dacca Junior Madrasah.

[*N.B.*—The Governing Body of the Dacca Madrasah, which possess powers of making appointments in the scale of Rs. 50—110 (unrevised), Rs. 50—100 (revised), and Rs. 50—4—160 (further revised) and are competent to grant leave without limit to the officers concerned, will continue to exercise those powers unrestricted.]

Class of officers.

Sanctioning authority and conditions.

- (9) Zenana Governesses and Assistant Mistresses of Government Girls' Schools. (9) Inspectresses of Schools may grant them leave for periods not exceeding four months.
- (10) Assistant Mistresses of Middle English Schools for Girls, Assistant Mistresses of Training Schools. (10) Inspectresses of Schools may grant them leave up to four months.
- (11) Assistant Maulvis of Government Madrasahs. (11) The Governing Body of Rajshahi Madrasah, and the Principal, Islamic Intermediate College, Dacca, may grant leave to officers under their administrative control for period not exceeding four months.
- (12) (i) Foreman Instructors, Dacca Engineering College. (12) The Governing Body of the Dacca Engineering College may grant leave to officers under its control for a period not exceeding four months.
(ii) Assistant Foreman, Water-supply and Sewerage Works, Dacca Engineering College.
- (13) (i) Instructors in Typewriting, Government Commercial Institute. (13) The Commercial Institute Board may grant them leave for a period not exceeding four months.
(ii) Mechanics, Government Commercial Institute.
- (14) (i) The Head Master, Reformatory and Industrial Schools. (14) The Managing Committee, Reformatory and Industrial Schools, may grant them leave for a period not exceeding four months.
(ii) Assistant Masters, Reformatory and Industrial Schools.
(iii) Tinsmith and Blacksmith, Reformatory and Industrial Schools.
(iv) Tailor and Carpenter, Reformatory and Industrial Schools.
(v) Weaver and Book-binder, Reformatory and Industrial Schools.
- (15) (i) Wood Engraving Teacher, Government School of Art. (15) The Governing Body of the Government School of Art may grant them leave for a period not exceeding four months.
(ii) Carpenter, Government School of Art.
- (16) (i) Compounder, Eden High School for Girls. (16) The Managing Committee of the Eden High School for Girls, Dacca, may grant them leave for a period not exceeding four months.
(ii) Matron, Eden High School for Girls.
- (17) (i) Matron, Vidyamayee High School for Girls, Mymensingh. (17) Inspectresses of Schools may grant leave to the officers under their respective control for a period not exceeding four months.
(ii) Matron, Faizunnessa Girls' School, Comilla.
(iii) Matron, Vernacular Training School for Girls, Dacca.
(iv) Matron, Dr. Khastagir's High School.
- (18) (i) Personal Assistant to the Principal, Dacca Engineering College. (18) The Governing Body of the Dacca Engineering College may grant them leave for a period not exceeding four months.
(ii) Head Clerk, Dacca Engineering College.
- (19) (i) Head Clerks in Divisional Inspectors' Offices. (19) Inspectors of Schools may grant leave to these officers under their respective control for a period not exceeding four months.
(ii) Ordinary Clerks in Divisional Inspectors' Offices.

Class of officers.	Sanctioning authority and conditions.
(20) (i) Head Clerk, Dacca Madrasah (ii) Librarian, Dacca Madrasah.	.. (20) The Governing Body of the Dacca Madrasah may grant leave to those officers under their control for a period not exceeding four months.
(21) (i) Head Clerk, Government Commercial Institute. (ii) Head Clerk, Inspectress of Schools, Dacca Circle. (iii) Head Clerk, Government School of Art (iv) Assistant Clerk, Government Commercial Institute.	(21) Principal, Government Commercial Institute, Inspectresses of Schools, Principal, Government School of Art, and Superintendent, Reformatory and Industrial Schools, may grant leave to the officers concerned under their respective control for a period not exceeding four months.
(v) Clerks, Librarian, Store-keeper and Typist, Government School of Art.	
(vi) Clerks, Reformatory and Industrial Schools. (vii) Assistant clerks in the offices of the Inspectresses of Schools, Clerks in Girls' High Schools under the Inspectresses, Clerk, Vernacular Training School, Dacca, Clerks and Typists in the offices of Inspectresses of Schools.	
(22) Clerks, Eden High School for Girls, Dacca	(22) The Managing Committee of the Eden High School for Girls may grant them leave for a period not exceeding four months.
2(3) Clerks, Chittagong Madrasah, Rajshahi Madrasah and Dacca Junior Madrasah.	(23) The Managing Committees of the Madrasahs and the Principal, Islamic Intermediate College, Dacca, may grant leave for a period not exceeding four months to these officers under their respective control.
(24) (i) Typist, Government Commercial Institute. (ii) Clerk, Anglo-Persian Department, Dacca Madrasah.	(24) The Principal, Government Commercial Institute, and the Principal, Dacca Madrasah, may grant leave to the officers under their respective control for a period not exceeding four months.
(25) Clerks to the Assistant Inspectress of Schools, Dacca Circle.	(25) Inspectress of Schools may grant them leave for a period not exceeding four months.
(26) Members of the Lower Subordinate Service	(26) District Inspectors of Schools and Assistant Inspectresses, Head Masters and Head Mistresses and Superintendents of Training and Normal Schools are empowered to grant leave to members of the Lower Subordinate Service paid from establishment under their administrative control and to make acting arrangements in their places.

II. Forests Department—

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|---|---|
| (1) Forest rangers and lower division clerks | .. (1) Officers in charge of forest divisions may sanction leave to such officers subordinate to them for a period not exceeding four months on average pay, provided that no transfer from another division is involved in making arrangements for the work. |
| (2) Special Revenue Officers of the non-pensionable establishment sanctioned in Government order No. 2343-T.—R., dated the 10th October 1907. | (2) Divisional Forest Officers, Sundarbans, may grant them leave for a period not exceeding four months on average pay, provided that no transfer from another division is involved in making arrangements for the work. |

Class of officers.

Sanctioning authority and conditions.

III. Police Department—

Clerical officers Superintendents of Police may grant them leave for a period not exceeding six months (or, in the case of officers to whom Section II of Chapter XV applies, 90 days), provided that local arrangements can be made to carry on the work.

IV. Department of Communication and Buildings—

- (1) Clerical Officers (1) Executive Engineers may grant any leave due to them, provided that local arrangements can be made for carrying on the work.
- (2) (i) Overseers and Sub-overseers in charge of subdivisions. (2) (i) Chief Engineer may grant any amount of leave due to them, after arrangements are made by the Chief Engineer or by Government, as the case may be, for the charge of the Subdivision concerned.
- (ii) Overseers and Suboverseers not in charge of subdivisions. (ii) (a) Superintending Engineers may grant any amount of leave due to them provided local arrangements can be made by transfer within the circle to carry on the work.

(b) Executive Engineers may grant them leave when the total period of leave applied for does not exceed 4 months and local arrangements can be made to carry on the work without substitutes.

V. Public Health Department—

Subordinate officers of the Public Health Department.

The Director of Public Health and the Chief Engineer, Public Health Department, may grant leave on average pay for a period not exceeding four months to such officers subordinate to them, provided that local arrangements can be made for the discharge of their duties without any extra expenditure.

VI. Revenue Department—

Cerical Officers in District Executive Offices.. Subdivisional Officers may grant them leave on average or half average pay not exceeding 30 days, provided local arrangements can be made within the establishment.

VII. Judicial Department—

- (1) Clerical officers and members of the Lower Subordinate Service (other than orderlies) in District Judicial Offices. (1) Subdivisional Munsifs and such Subordinate Judges and Munsifs as are in immediate charge of an office may grant them leave up to two months, provided local arrangements can be made to carry on the work.
- (2) Orderlies in District Judicial Offices .. (2) Officers to whom they are attached may grant them leave up to two months provided local arrangements can be made to carry on the work.

Class of officers.

Sanctioning authority and conditions.

VIII. Excise Department—

**Sub-Inspectors and petty officers in Central
Detective Department.**

The Deputy Commissioner of Excise, Central Detective Department, may grant leave to Sub-Inspectors up to a maximum limit of one month and to petty officers under his control provided local arrangements can be made to carry on the work.

IX. Fisheries Department—

**Non-gazetted staff of the Fish-technological
Section and fishing Net Factory under
Deputy Director (Technology).**

The Deputy Director of Fisheries (Technology) may grant all kinds of leave admissible under the rules for a period not exceeding 42 days in one occasion, provided local arrangement can be made to carry out work without substitute.

Note 1—Where the power to grant leave is conditional upon local arrangements being made to carry on the duties, there must be no expenditure on travelling allowance, officiating arrangements may, however, be made if no transfers are involved, unless the contrary is expressly stated.

Note 2—In relation to officers to whom Section 11 of Chapter XV applies, attention is drawn to subclause (b) of clause (32) of rule

APPENDIX No. 5.

(Rule 194.)

Rules for the grant of additional leave to Government servants for the study of scientific, technical or similar problems, or in order to undertake special courses of instruction.

The following rules relate to study leave only. They are not intended to meet the case of Government servants deputed to other countries at the instance of Government either, for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties. Such cases will continue to be dealt with on their merits under the provisions in Chapter VIII:—

1. Study leave can be granted only by Government.

2. Extra leave on half-average pay for the purpose of study leave may be taken either in or outside Pakistan. Study leave should not ordinarily be granted to Government servants of less than five years' service or to Government servants within three years of the date at which they have the option of retiring or if they have the option of retiring after twenty years' service, within three years of the date at which they will complete twenty years' service. Nor should it be granted to Government servants who are about to retire on proportionate pension.

3. The grant of study leave should be made with due regard to the exigencies of the public service. A period of twelve months at one time should ordinarily be regarded as a suitable maximum and should not be exceeded save for exceptional reasons. In no case should be grant of this leave exceed two years in the whole period of a Government servant's service nor should it be granted with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave. The study leave for two years can be combined with leave, other than extraordinary leave, or leave on medical certificate, up to a period of four months. If the limit of four months is to be exceeded (i.e., when an absence of over twenty-eight months from a Government servant's regular duties is involved) the extended period shall be treated as extraordinary leave or leave on medical certificate, subject to the condition that the total absence from duty does not exceed the period of five years prescribed in Rule 34 of East Pakistan Service Rules, Part I.

Note—The limit of 2 years of study leave prescribed in this rule includes the period of vacation, if any, with which study leave and other leave may be combined.

4. A Government servant whose study leave is combined with any other kind of leave should be required to take his period of study leave at such a time as to retain, at its conclusion, a balance of other previously sanctioned leave sufficient to cover the period spent in returning to duty.

5. When a Government servant has been granted a definite period of study leave and finds subsequently that his course of study will fall short of the sanctioned period to any considerable extent, his absence from duty should be reduced by the excess period of study leave unless he produces the assent of the sanctioning authority in Pakistan to his taking it as ordinary leave.

6. Except as provided in rule 7, all applications for study leave should be submitted with the Audit Officer's certificate to Government through the prescribed channel, and the course or courses of study contemplated and any examination which the candidate proposes to undergo should be clearly specified therein. If the course of study is in Europe or America, Government should forward to the Secretary to the High Commissioner for Pakistan a copy of the approved programme of study. If it is not possible for the Government servant to give full details, as above, in his original application, or if, after leaving Pakistan, he wishes to make any changes in the programme which has been approved in Pakistan, he should submit particulars as soon as possible to the Secretary to the High Commissioner for Pakistan. In such cases, he should not, unless prepared to do so at his own risk, commence the course of study, nor incur any expenses in connection therewith, until he receives approval to the course through the High Commissioner.

7. Government servants on leave, in Europe or America, who wish to convert part of the leave into study leave or to undertake a course of study during leave, should, before commencing study and before incurring any expenses in connection therewith submit a programme of their proposed course of study to the Secretary to the High Commissioner for Pakistan. The programme should be accompanied by an official syllabus of the course,

if one is available, and by any documentary evidence that the particular course of examination has the approval of Government. In the absence of such evidence the programme may, if approved by the High Commissioner, be proceeded with, but no study leave allowance will be admissible until the concurrence of the authority concerned in Pakistan is received.

Similarly, Government servants on leave in the United Kingdom who desire to have it extended for purposes of study under these rules, should address the Secretary to the High Commissioner for Pakistan, but in addition to furnishing a statement of the proposed study they must support their applications with documentary evidence of their having obtained the approval of Government to their applying for an extension of leave. They must also produce documentary evidence of the concurrence of Government to the grant of study leave or study allowance or both.

Note—The documentary evidence referred to must include a statement by Government whether they are prepared to meet the cost of any concessions grantable under rule 9 and/or rule 11.

8. No course of study will be recognised as qualifying for the grant of study allowance, or for study leave for any other purpose, unless it has been approved in at least broad outline by Government in accordance with rules 6 and 7, and unless in cases where it has not been found possible to submit full particulars to Government, it has been approved in detail by the High Commissioner before it is begun.

9. A study allowance will be granted for the period spent in prosecuting a definite course of study at a recognised institution or in any definite tour of inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study. The rates as at present fixed are 20s. a day in the United Kingdom, £1 a day on the continent of Europe, and 30s. a day in the United States of America. These rates are liable to revision. The rate to be granted to Government servants who take study leave in other countries, including Pakistan, will be specially considered by Government in each case. In no case will subsistence allowance be granted in addition to study allowance, and ordinary travelling expenses will not be paid, but in exceptional cases claims will be considered on their merits by Government.

Note—Government have authorised the High Commissioner for Pakistan to grant travelling expenses in exceptional cases under this rule, subject to the conditions—

- (1) that the papers before him show that Government are willing to accept such charges;
- (2) that he will refer cases of difficulty or doubt to Government and
- (3) that he will incur no expenditure which would lead to the provision in his budget being exceeded at a time when it would be impossible for Government to obtain additional supply during the year.

10. Study allowance will be admissible up to fourteen days for any period of vacation. A period during which a Government servant interrupts his course for his own convenience cannot be considered as vacation. Study allowance may be given at the discretion of Government for any period up to fourteen days at one time during which the Government servant is prevented by sickness, duly certified by a medical practitioner, from pursuing the sanctioned course of study. In the case of a Government servant retiring from the service without returning to duty after a period of study leave, the study allowance will be forfeited, and the study leave will be converted into leave to the extent of the ordinary leave standing to his credit at the date of retirement. Any balance of the period of study leave mentioned above which cannot be so converted will be excluded in reckoning service for pension.

Note—Government have authorised the High Commissioner for Pakistan to grant study allowance during sickness, subject to the conditions stated in this rule.

11. Government servants granted study leave are ordinarily required to meet the cost of fees paid for courses of study. In exceptional cases Government will be prepared to consider proposals that such fees should be paid by Government.

Note 1—Government have authorised the High Commissioner for Pakistan to pay fees in exceptional cases under this rule, subject to the conditions stated in the Note under rule 9.

Note 2—At the time of applying in Pakistan for study leave, Government servants must submit with their applications evidence of the amount of fees involved in the course of study proposed and state whether they are in a position to meet these costs.

12. On completion of a course of study, a certificate on the proper form (which may be obtained from the High Commissioner) together with certificates of examinations passed or of special study, shall, when the study leave has been taken in Europe or America, be forwarded to the High Commissioner. When the study leave has been taken in any other country certificates of examinations passed or of special study, which should show the dates of commencement and termination of the course, with any remarks by the instructor, shall be forwarded to Government. In case of a definite course of study at a recognised institution, the study allowance will be payable by the High Commissioner or in Pakistan, as the case may be on claims submitted by the Government servant from time to time, supported by proper certificates of attendance. When the programme of study approved under rule 6 does not include or does not consist entirely of such a course of study, the Government servant shall submit to the High Commissioner or to Government or both as the case may be, a diary showing how his time has been spent, and a report indicating fully the nature of the methods and operations which have been studied, and including suggestions as to the possibility of applying such methods or operations to Pakistan. Government or the High Commissioner as the case may be, will decide whether the diary and report show that the time of the Government servant has been properly employed, and will determine accordingly for what period the study allowance referred to in rule 9 may be granted.

13. Study leave will count as service for promotion and pension, but not for leave. It will not affect any leave which may already be due to Government servant; it will count as extra leave on half average pay, and will not be taken into account in reckoning the aggregate amount of leave on half-average pay, taken by the Government servant towards the maximum period admissible under the normal rules.

14. During study leave a Government servant will draw half-average pay as defined in rule 5(5) in Chapter II, subject to the maxima and minima laid down in rules 208 and 209 in Chapter XV or in rule 175(2) as the case may be. The rate of exchange prescribed in these rules for the conversion of leave salary (other than that admissible during the first four months of a period of leave on average pay) shall apply to study leave allowances. A Government servant may, subject to the approval of the proper authorities being obtained as required by rule 6 or 7, undertake or commence a course of study during leave on average pay, and, subject to rules 9 and 10, draw study allowance in respect thereof provided that study allowance is not drawn for an aggregate period exceeding two years during the whole of a Government servant's service.

15. A Government servant of the vacation department can draw study allowance during vacation if with the sanction of Government he prosecutes his studies during the period. The period of such a vacation will be taken into account in calculating the maximum period of two years for which study allowance is admissible.

16. On an application for study leave in Europe or America being sanctioned, Government should inform the High Commissioner of the particulars of the case. It will be necessary for the Government servant concerned to place himself in communication with the High Commissioner, who will arrange any details and issue any letters of introduction that may be required.

Note—In communicating the particulars of the case to the High Commissioner Government will state whether it is prepared to meet the cost of any concessions grantable under rule 9 and or rule 11.

APPENDIX No. 5A.

The East Pakistan Legal Studies Rules.

1. These rules may be called the East Pakistan Legal Studies Rules.
2. These rules apply only to officers of the Judicial Branch of the East Pakistan Civil Service to whom a certificate of eligibility has been granted under these rules.
3. A certificate of eligibility may be granted by the Governor. Such certificate shall not be granted unless the applicant has or will have at any time subsequent to the date of his intended admission to one of the Inns of Court, London, or the King's Inns, Dublin, sufficient leave due under the ordinary rules to enable him to present himself at the final examination prescribed for a call to the Bar, within fifteen years from the date of his taking up duty in Pakistan.
4. An officer to whom a certificate of eligibility has been granted under rule 3, on reporting himself for orders at the office of the High Commissioner for Pakistan, and after executing a bond in the form annexed or with such additions and alterations as the Governor may from time to time direct, will be entitled to the following concessions, subject to the conditions set forth in the said bond:—
 - (a) A advance of all fees or other moneys payable in connection with his admission to one of the Inns of Court, London, or the King's Inn, Dublin.
 - (b) In the case of the Inns of Court, London, a bonus of £25 for each first class obtained in any of the four examinations comprising Part I and of £50 for a first class in the Final Examination or Part II of the examinations prescribed by the Council of Legal Education for a call to the Bar or for obtaining the Langdon Medal, and of £25 for obtaining subsequently to a pass in the Final Examination for the Bar an additional first class in Hindu and Muhammadan Law taken separately; and in the case of the King's Inns, Dublin, a bonus of £50 for a first class at each of the two Continuous Course Examinations, and of £50 for a first class at the Final Examination.
 - (c) On or after passing the Final Examination for a call to the Bar a bonus of £75 in part refund of any fees actually paid to a practising Barrister or to two practising Barristers in England for reading in his or their Chambers :

Provided that the period of reading shall not have been less than two terms of six months each (not including in either of such terms, unless they are continuous, the months of August and September) and that the bonus shall be payable only on production of a certificate from the said Barrister or Barristers of due attention and application to study.

5. All bonuses and advances shall be paid in England under the orders of the High Commissioner for Pakistan.
6. All advances shall be recovered from the salary of the officer concerned immediately on his return to duty in Pakistan.

FORM OF BOND

KNOW ALL MEN by these presents that I.....
 a member of the....., do hereby bind myself
 to pay to the..... the penal sum of.....
 pounds (.....).

Sealed with my seal. Dated this..... day of..... one
 thousand nine hundred and.....

WHEREAS the High Commissioner for Pakistan on behalf of the said..... has
 in accordance with the provisions of the rules annexed hereto advanced to the abovebounden
 the sum of..... being..... in respect of
 the deposit for Commons and Dues and..... in respect of initial
 fees payable by the abovebounden..... to the Treasurer of
 the Honourable Society of the..... on enrolment as
 a student :

AND WHEREAS the High Commissioner for Pakistan on behalf of the said.....
 has undertaken to pay to the abovebounden.....
 a bonus of £25 for each First Class obtained in any of the Four Examinations comprising
 Part I a bonus of £50 for a First Class in the Final Examination for the Bar or for obtain-
 ing the Langdon Medal a bonus of £25 for obtaining subsequently to a pass in the Final
 Examination for the Bar an additional First Class in Hindu and Muhammadan Law taken
 separately (or in the case of the Irish Bar a bonus of £50 for a First Class at each of the
 two Continuous Course Examinations and £50 for a First Class at the Final Examination)
 and on passing the Final Examination for call to the Bar a bonus of £75 in part refund
 of fees actually paid for reading in the chambers of a practising Barrister or Barristers:

NOW THE CONDITIONS of the abovewritten obligation are that:—

- (a) If in the event of the abovebounden..... not passing
 the Final Examination for the Bar before the completion of fifteen years' total
 service in the..... he shall upon the completion
 of such period pay to the said..... in Pakistan or
 to the High Commissioner for Pakistan the said amounts of such deposit and
 initial fees (or any part thereof which shall not have been previously paid) and
 any bonuses granted for success in Part I (or in the Continuous Course Examinations
 in the case of the Irish Bar) aforesaid; or
- (b) If in the event of the abovebounden..... not rejoining
 the service in Pakistan before the expiration of his leave of absence he shall on
 the day his leave expires pay to the High Commissioner for Pakistan the said
 amounts and any bonuses granted as specified in condition (a) hereof and also
 any bonus granted for success in the Final Examination aforesaid and for read-
 ing in the chambers of a practising Barrister or Barristers; or
- (c) If in the event of the abovebounden..... rejoining the said
 service before having passed the said Final Examination he shall pay the said
 amounts of deposit and initial fees specified in condition (a) hereof to the said
 in Pakistan by deductions from his salary as provided in
 the rules annexed hereto and also if in the event of his not passing the aforesaid
 Examination before the completion of the said fifteen years' total service he shall
 upon the completion of such period pay to the said.....
 in Pakistan or to the High Commissioner for Pakistan the amounts of such deposit
 and initial fees (or any part thereof which shall not have been previously paid)
 and any bonuses granted as specified in condition (a) hereof: or

- (d) If in the event of the abovebounden.....not remaining in the said service until he has passed the said Final Examination or until he has repaid the said sum of..... he shall forthwith upon his ceasing to be in the said service pay to the said in Pakistan or to the High Commissioner for Pakistan the amounts and any bonuses granted as specified in condition (a) hereof (or any part thereof which shall not have been previously paid); or
- (e) If in the event of the abovebounden..... the said service in Pakistan after having passed the said Final Examination before the completion of the said fifteen years' total service he shall pay the amounts of deposit and initial fees specified in condition (a) hereof to the said..... in Pakistan by deductions from his salary as provided in the rules annexed hereto; or
- (f) If the abovebounden..... dies before repayment of the said amounts specified in condition (a) hereof or any part of such amount provided that all repayments already due from him under the foregoing conditions before his death have been duly made and provided that either the said amounts which may be repayable to the aforesaid..... by the Treasurer of the said Society or the balance that remains due of the aforesaid amounts to the High Commissioner for Pakistan whichever sum shall be the less be paid to the High Commissioner for Pakistan.

Then the abovewritten obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

Signed, sealed and delivered by the abovebounden in the presence of.....

APPENDIX No. 6

(Rules 207 and 491.)

[See also Rule 207A and Note above Chapter XXVI].

Leave salary and pension may be drawn in sterling in the following British Dominions and Colonies :—

Dominion, Colony or Protectorate, etc.	Designation of paying officer.
Bahamas	Receiver-General, Nassau.
Barbados (and all other West Indian Islands except Jamaica).	Colonial Treasurer, Barbados.
Bermuda	Command Paymaster, Army Pay Office, Bermuda.
British Guiana	Colonial Secretary, Georgetown.
British Honduras	Treasurer, Belize.
Egypt (so long as a British Pay Office exists in Egypt)	Command Paymaster, Army Pay Office, Cairo.
Falkland Islands	Treasurer, Stanley.
Fiji	Colonial Treasurer, Suva.
Gambia	Treasurer, Bathurst.
Gibraltar	Command Paymaster, Army Pay Office, Gibraltar.
Gold Coast	Treasurer, Accra.
Jamaica	Command Paymaster, Army Pay Office, Jamaica.
Kenya	Treasurer, Nairobi.
Malta	Command Paymaster, Army Pay Office, Malta.
Mauritius	Command Paymaster, Army Pay Office, Mauritius, or Colonial Secretary, Port Louis.
New South Wales	Accountant, Commonwealth Sub-Treasury, Sydney.
New Zealand	Commissioner of Pensions, Wellington.
Nigeria	Treasurer, Lagos.
Northern Rhodesia	The Treasurer, Lusaka
Nyasaland	Treasurer, Nyasaland Protectorate, Zomba.
Queensland	Accountant, Commonwealth Sub-Treasury, Brisbane.
St. Helena	Colonial Treasurer, St. Helena.
Sierra Leone	Command Paymaster, Army Pay Office, Sierra Leone.

Dominion, Colony or Protectorate, etc.				Designation of paying officer.
Somaliland	..	..	..	Treasurer, Somaliland Protectorate, Berbera.
South Australia	..	..	..	Accountant, Commonwealth Sub-Treasury, Adelaide.
South Rhodesia	..	..	..	Treasurer, Salisbury.
Tanganyika	..	..	..	Treasurer, Dares-Salam.
Tasmania	..	..	..	Accountant, Commonwealth Sub-Treasury, Hobart.
Uganda	..	..	..	Treasurer, Entebbe.
Union of South Africa	..	..	..	Chief Pensions Officer, Pretoria (a).
Victoria	..	..	..	Secretary, Commonwealth Treasury, Melbourne.
Western Australia	..	..	..	Accountant, Commonwealth Sub-Treasury, Perth.
The Seychelles Islands	..	..	..	The Treasurer, Seychelles Islands.

An officer residing in Canada or Newfoundland takes payment from the office of the High Commissioner in the United Kingdom, remittance being effected, under arrangements made by the High Commissioner, through the Bank of Montreal.

(a) According to the revised procedure communicated by the High Commissioner for the Union of South Africa through the India Office, Financial Department, London, the payment of leave salaries of officials of other Dominions, spending leave in the Union of South Africa is a function of the Secretary for Finance, the Treasury Pretoria.

APPENDIX No. 7.

Model terms for the grant of leave of Government officials engaged on contract.

[Rule 226 (II).]

1. Where the contract is for one year or less, no leave except on medical certificate (on average or half-average pay), which would ordinarily be limited to two months reckoned in terms of leave on average pay.

2. Where the contract is for more than one year and less than three years, leave on average pay up to 1/11th of the period spent on duty, to which may be added on medical certificate leave on average or half-average pay, provided that the total leave granted shall not exceed three months reckoned in terms of leave on average pay.

3. Where the contract is for three years or over, leave on average pay up to 1/11th of the period spent on duty, up to a maximum of four months at a time, to which may be added on medical certificate leave on average or half-average pay up to a maximum of three months reckoned in terms of leave on average pay.

In the case of officers coming under Rules 2 and 3:—

- (a) Three months' extraordinary leave without pay may be granted in addition to the above; and
- (b) If the officer is in a Vacation Department, leave may only be granted in case of urgent necessity and if granted shall be on half-average pay for a period not exceeding 1/11th of the period spent on duty in addition to any leave admissible on medical certificate. The officer may, however, be granted leave on leave-salary equivalent to average pay, to the extent of one month for each year on duty in which he has not availed himself of any part of a vacation and if a part only of the vacation has been taken in any year, the period of leave on average pay will be reduced by a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.

In cases where—

- (a) the contract is for a longer term than 5 years, or
- (b) an original contract for 5 years is extended, or
- (c) on completion of his original contract of whatever term, a Government servant is taken into permanent employment.

the ordinary or special leave rules, as the case may be, as contained in the Fundamental Rules, will be made applicable.

Leave may be granted after the expiry of contract only where it has been applied for during the period of the contract and refused owing to the exigencies of the public service.

An officer whose services are dispensed with on grounds of ill-health shall be permitted to take all leave due to him before his service is terminated.

Note 1—It has been decided that the principle that leave may be granted after the expiry of contract where it has been applied for during the period of the contract and refused owing to the exigencies of the public service is applicable also to officers serving on contract at the time the model leave terms were promulgated.

Note 2—The terms are intended to be applied in the case of Government servants engaged on contract in the United Kingdom or to those who, though residing in Pakistan at the time of engagement on contract, originally came out from the United Kingdom for employment in Pakistan.

Note 3—It has been decided that the model terms for the grant of leave of officers engaged on contract should in future apply only to officers of non-Asiatic domicile. It follows, therefore, that such terms will not apply to officers of Asiatic domicile even if they are recruited in the United Kingdom.

APPENDIX No. 8.

Rules prescribing leave procedure.

(Rule 234, Note 2.)

Note—The rules of this Appendix are numbered throughout in parentheses, e.g., "rule (15)". References to rules without the parentheses in this Appendix are, unless the contrary is expressly stated, references to the East Pakistan Service Rules.

I.—General.

(1) No leave may be granted to a gazetted Government servant until a report as to its admissibility has been obtained from the audit officer.

(2) (a) The leave account of each non-gazetted officer and a member of the Lower Subordinate Service who did not elect to remain under the old rules when the Fundamental Rules were introduced shall be kept in the form appended which should be attached to his service book or service roll.

(b) In the case of Government servants under the ordinary leave rules two *pro forma* accounts of leave on full average pay will have to be kept, one—which includes leave on medical certificate or spent outside Pakistan, India or Ceylon, and the other which excludes such leave.

It is not necessary, however, that two *pro forma* accounts of leave on average pay should be opened on separate pages of the leave account. The column "leave taken on average pay" in the prescribed form can be used for leave on medical certificate or spent outside Pakistan, India, Burma, Aden, Ceylon or Nepal, and the leave on average pay other than such leave being worked out in any spare space available either in the last column or elsewhere.

(c) In the case of Government servants to whom the revised leave rules apply it is not necessary to maintain a leave account in the form prescribed for Government servants under the ordinary leave rules. When leave is granted under these rules, the nature of the leave and the number of rule or rules under which it is granted shall be entered in the service book, History of Service or other records of service:

Provided that, in the case of special disability leave granted under rule 192, only half the amount of leave on average pay under clause (b) of sub-rule (7) of that rule shall be counted as "earned leave" taken and entered in the service records.

(3) (a) The leave account of a gazetted Government servant shall be maintained by, or under the direction of, the principal auditor responsible for the audit of his pay.

(b) The leave account of a non-gazetted Government servant shall be maintained by the head of the office in which he is employed.

(4) Every application for leave or for an extension of leave should be sent to an authority competent to fill the post substantively through the intermediate superior, if any, of the Government servant applying for leave. In the case of gazetted Government servants, the application should be sent through the principal auditor. The application of a Government servant in foreign employ should also be sent through the Audit Officer who accounts for the contribution recovered from the foreign employer.

(5) Fractions of a day should not appear in the leave account; fractions below $\frac{1}{2}$ should be ignored, and those of $\frac{1}{2}$ or more should be reckoned as one day.

(6) A separate account should be kept of the leave earned by a Government servant serving under a Government and then transferred to another Government and all leave taken after the date of transfer should be debited to this account so long as the balance under it is not exhausted, and the allowances drawn during all leave, which is so debited, should be charged to that Government.

II.—Medical Certificates.

(7) Medical officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government servant concerned will ever be fit to resume his duties. In such cases, the opinion that the Government servant is permanently unfit for Government service should be recorded in the medical certificate.

(8) Every certificate of a medical committee or a medical officer recommending the grant of leave to a Government servant must contain a proviso that no recommendation contained in it shall be evidence of a claim to any leave not admissible to the Government servant under the terms of his contract or of the rules to which he is subject.

(9) Before a gazetted Government servant can be granted leave or an extension of leave on medical certificate, he must obtain a certificate accompanied by a statement of his case in the following form:—

Statement of the case of—

Name (to be filled in by the applicant in the presence of the Civil Surgeon or official medical attendant)—

Appointment—

Age—

Total service—

Service in Pakistan—

Previous periods of leave of absence on medical certificate—

Habits—

Disease—

I,....., Surgeon/Medical Officer at.....
after careful personal examination of the case hereby certify that
is in a bad state of health, and I solemnly and
 sincerely declare that according to the best of my judgment a period of absence from duty
 is essentially necessary for the recovery of his health and recommend that he may be
 granted.....months' leave with effect from.....

DATED;

The.....

Civil Surgeon or Official Medical Attendant.

Note 1—This form should be adhered to as closely as possible and should be filled in after the signature of the applicant has been taken. The certifying officer is not at liberty to certify that the applicant requires a change from or to a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for service.

Note 2—If the medical certificate is given by foreigners it should be attested by a consular or other similar authority as bearing the signatures of qualified medical practitioners.

(10) Having secured such a certificate, the Government servant must, except in cases covered by rule (13) or where the leave on Medical Certificate is intended to cover a period of less than 3 months, obtain the permission of the head of his office or, if he himself is the head of an office, of the head of his department to appear before a medical committee. He should then present himself with two copies of the statement of his case before such a committee. The committee will be assembled under the orders of the administrative medical officer of the province who will, where practicable, preside over it. The committee will be assembled either at the headquarters of the province or at such other place as Government may appoint.

(11) Before the required leave or extension of leave beyond three months can be granted, the Government servant must obtain from the committee a certificate to the following effect:

We do hereby certify that, according to the best of our professional judgment, after careful personal examination of the case, we consider the health of C.D. to be such as to render leave of absence for a period of..... months absolutely necessary for his recovery.

(12) Before deciding whether to grant or refuse the certificate, the committee may, in a doubtful case, detain the applicant under professional observation for a period not exceeding fourteen days. In that case it should grant to him a certificate to the following effect:—

C.D. having applied to us for a medical certificate recommending the grant to him of leave, we consider it expedient, before granting or refusing such a certificate, to detain C.D. under professional observation for.....days.

(13) If the state of the applicant's health is certified by a commissioned medical officer of Government or by a medical officer in charge of a civil station to be such as to make it inconvenient for him to present himself at any place in which a committee can be assembled the authority competent to grant the leave may accept, in lieu of the certificate prescribed in rule (11) either—

- (a) a certificate signed by any two medical officers, being commissioned medical officers or medical officers in charge of civil stations, in whatsoever province they may be serving; or
- (b) if the authority considers it unnecessary to require the production of two medical opinions, a certificate signed by an officer in medical charge of a civil station and countersigned by the Collector of the district or the Commissioner of the division.

(14) The grant of a certificate under rules (11), (13) or (17) does not in itself confer upon the Government servant concerned any right to leave. The certificate should be forwarded to the authority competent to grant the leave and the orders of that authority should be awaited.

(15) Every application for leave on medical certificate made by a non-gazetted Government servant in superior service shall be accompanied by a medical certificate given by a registered medical practitioner defining as clearly as possible the nature and probable duration of the illness, or by a request for the issue of a requisition for examination by a medical officer of Government.

(16) The authority competent to sanction leave may, at his discretion, secure a second medical opinion by requesting the Presidency or Civil Surgeon to have the applicant medically examined. Should he decide to do so, he must arrange for the second examination to be made on the earliest possible date after the date on which the first medical opinion was given.

(17) It will be the duty of the Presidency or Civil Surgeon to express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended; and for this purpose he may either require the applicant for leave to appear before himself or require the applicant for leave to appear before a medical officer nominated by himself.

(18) The following form of medical certificate is prescribed for non-gazetted Government servants in superior service recommended for leave or extension or commutation of leave:—

.....
(Signature of applicant.)

I,, after careful personal examination of the case, hereby certify that..... whose signature is given above, is suffering from..... and I consider that a period of absence from duty of..... with effect from..... is absolutely necessary for the restoration of his health.

DATED;

The.....

Government Medical Officer or
Registered Medical Practitioner.

Note 1—The nature and probable duration of the illness, should be specified, *vide* rule (15).

Note 2—This form should be adhered to as closely as possible, and should be filed in after the signature of the applicant has been taken. The certifying officer is not at liberty to certify that the applicant requires a change to (or from) a particular locality, or that he is not fit to proceed to a particular locality. Such certificate should only be given at the explicit desire of the administrative authority concerned to whom it is open to decide, when an application on such grounds has been made to him whether the applicant should go before a Medical Board to decide the question of his fitness for service.

Note 3—If the medical certificate is given by foreigners it should be attested by a Consular or other similar authority as bearing the signatures of qualified medical practitioners.

*(To be filled in by the applicant in the presence of Government medical officer or a registered medical practitioner.)

“(18A) An application for an extension of leave on medical grounds by a Government servant on leave in India shall be accompanied by a certificate from two medical practitioners in the following form:”—

We hereby certify that we have carefully examined C.D. of the.....
..... who is suffering
from..... and we declare upon our honour
that, according to the best of our judgment and belief, he is at present unfit for duty in
Pakistan, and that it is absolutely necessary for the recovery of his health that his present
leave, which will expire in India on.....
shall be extended by..... months
..... weeks.

Date.....

Place.....

The certificate must describe in full detail the nature of the disease and the present condition of the Government servant. If it be signed by foreigners it must be attested by Consular and other authority as bearing the signatures of qualified medical practitioners.

In the case of non-Gazetted Government servants a certificate from one medical practitioner only, duly countersigned as stated above, may be accepted, when the extension is for a period of not more than 30 days.

(19) The medical certificates of fitness required by rule 157 shall be as prescribed below:—

(a) if the leave is taken in Europe, North Africa, America or the West Indies, in accordance with the rules contained in Division XII of the Fundamental Rules and the Supplementary Rules compiled by the Government of Pakistan, Vol. I, or

(b) if the leave is taken out of Asia elsewhere than in Europe, North Africa, America or the West Indies :—

“We certify that we have carefully examined A.B. of the.....
Service and find that he is in good health and..... fit to return to
his duty in Pakistan.

We also certify that before arriving at this decision, we have examined the original medical certificate (s) and statement(s) of the case (or certified copies thereof) on which the leave was granted or extended, and that we have taken these into consideration in arriving at our decision”.

Such certificate shall be signed by two qualified medical practitioners, and if they be foreigners, attested by a Consular or other similar authority as bearing the signatures of qualified medical practitioners; or

(c) if the leave is taken in Asia :—

“We the members of a Medical Committee I, Civil Surgeon of.....
I, registered Medical Practitioner of..... do hereby
certify that we, I have carefully examined A.B. of the.....
..... Service and find that he has recovered
from his illness and is now fit to resume duties in Government service.

We/I also certify that before arriving at this decision we/I have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended and have taken these into consideration in arriving at our/my decision.”

In the case of a gazetted Government servant on leave in Asia such certificate shall be obtained from a Medical Committee except—

(i) in cases in which the leave is for not more than three months, or

- (ii) in cases in which the leave is for more than three months or leave for three months or less is extended beyond three months, but the Medical Committee granting the original certificate or the certificate for extension state, at the time of granting such certificate, that the Government servant need not appear before another Medical Committee for obtaining the certificate of fitness.

NOTE—A certificate signed by one or two Medical Officers obtained under rule (13) shall be deemed equivalent for the purpose of this rule to a certificate obtained from a Medical Committee.

(20) The original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which the leave was originally granted or extended shall be produced before the authorities asked to issue the certificates prescribed in rule (19).

(21) In support of an application for leave, or for an extension of leave, on medical certificate from a non-gazetted Government servant in Lower Subordinate Service, the authority competent to grant the leave may accept such certificate as he may deem sufficient.

III—Grant of Leave.

(22) In cases where all applications, for leave cannot, in the interests of the public service, be granted, an authority competent to grant leave should, in deciding which application should be granted, take into account the following consideration—

- (a) The Government servants who can, for the time being, best be spared.
- (b) The amount of leave due to the various applicants.
- (c) The amount and character of the service rendered by each applicant since he last returned from leave.
- (d) The fact that any such applicant was compulsorily recalled from his last leave.
- (e) The fact that any such applicant has been refused leave in the public interests.

NOTE—Grant of leave on private affairs to the men of the Military Police is subject to the condition that the number absent on leave on half average salary whether on medical certificate or not, does not exceed 5 per cent. of the Battalion from 15th October to 15th April, and 10 per cent from 16th April to 14th October.

(23) When a medical committee in Pakistan reported that there is no reasonable prospect that a particular Government servant will ever be fit to return to duty, leave may only be granted by Government and on the following conditions—

- (a) If the medical committee is unable to say with certainty that the Government servant will never be fit for service in Pakistan again, leave not exceeding twelve months in all may be granted. Such leave may not be extended without a further reference to a medical committee.
- (b) If the medical committee declares the Government servant to be completely and permanently incapacitated for further service in Pakistan, the Government servant should, except as provided in clause (c) below, be invalidated from the service either on the expiration of the leave already granted to him, if he is on leave when examined by the committee, or, if he is not on leave, from the date of the committee's report.
- (c) A Government servant declared by a committee to be completely and permanently incapacitated may, in special cases, be granted leave, or an extension of leave, not exceeding six months as debited against the leave account, if such leave be due to him. Special circumstances justifying such treatment may be held to exist when the Government servant's breakdown in health has been caused in and by Government service, or when the Government servant has taken a comparatively small amount of leave during his service or will complete at an early date an additional year's service for pension.

NOTE—A report from a single Medical Officer shall be accepted for purposes of leave under this rule in cases where such a certificate is deemed sufficient for granting invalid pensions.

(24) Leave should not be granted to a Government servant who ought at once to be dismissed or removed from Government service for misconduct or general incapacity.

(25) If, in a case not covered by rule (24), an authority competent to remove a Government servant from service decides, before such Government servant departs from Pakistan on leave, that he will not be permitted to return to duty in Pakistan the authority shall inform him to that effect before he leaves Pakistan.

(26) If, when a Government servant is about to depart from Pakistan on leave, it is necessary to consider the propriety of removing him for incapacity, whether mental or physical, which is of such a nature that it is impossible to decide, before he leaves Pakistan, whether it will be permanent or temporary; or if for any reason it is considered inexpedient that a Government servant on leave should return to Pakistan, a full report of the circumstances shall be made by Government to the High Commissioner in time to enable him to take any necessary measures before the Government servant would in the ordinary course be permitted to return to duty. The report should, in any case, reach the High Commissioner at latest three months before the end of the Government servant's leave.

(27) The abolition of the substantive post of a Government servant absent on leave out of Asia should be immediately communicated to the High Commissioner.

(28) When leave on medical certificate has been granted to a Government servant, if such Government servant proposes to spend his leave in Europe, North Africa, America or the West Indies, Government shall without delay forward a copy of the medical statement of the case to the High Commissioner for Pakistan.

(29) When a Government servant who has been granted leave for reasons of health proceeds to any of the localities named in rule (28) the authority which granted the leave shall inform the High Commissioner for Pakistan whether a certificate of fitness is required under rule 157.

(30) Every Government servant proceeding on leave out of Asia should procure from the Audit Officer and take with him a copy of the memorandum of information issued for the guidance of Government servants proceeding on leave out of Asia. If the leave has been granted on a medical certificate, he must take a copy of the medical statement of his case also.

(31) A Government servant taking leave out of Pakistan must, if so required by the Audit Officer, report his embarkation, through that officer, to the authority which granted his leave, in such form as the Auditor-General may prescribe.

(32) A gazetted Government servant, on return from leave, must report his return to Government.

(33) On return from leave exceeding two months, a gazetted Government servant must obtain orders as to his posting. On return from leave not exceeding two months, a gazetted Government servant may resume the post which he held before going on leave unless he receives orders to the contrary.

NOTE—The Director of Public Instruction, the Chief Engineer, Public Health Department, and the Director of Public Health may, when they can sanction leave, permit gazetted Government servants to return from leave exceeding two months to resume the post which they held before going on leave.

(34) Unless specially otherwise ordered, leave must begin within 35 days of the date on which it is granted.

(35) [Omitted].

IV.—Records of Service.

(36) A record of the services of a gazetted Government servant will be kept by the Accountant-General, and in such form as the Auditor-General may prescribe.

(37) A service book in such form as the Auditor-General may prescribe must be maintained in duplicate for every non-gazetted Government servant holding a substantive post on a permanent establishment with the following exceptions:—

- (a) Sub-Registrars whose service registers are maintained by the Inspector-General of Registration.
- (b) Police servants of rank not higher than Assistant Sub-Inspectors.
- (c) Members of the Lower Subordinate Service.

NOTE—A service book in duplicate shall also be maintained for a Non-Gazetted Government servant holding temporary or officiating post, whose service is transferable and who is likely to be made permanent.

(38) In all cases in which a service book is necessary under rule (37), such a book in duplicate must be supplied for a Government servant, at his own cost, on his first appointment to a Government service. They must be kept in the custody of the head of the office in which he is serving and transferred with him from office to office.

(39) Every step in a Government servant's official life must be recorded in his service book, and each entry must be attested by the head of his office or, if he himself is the head of an office, by his immediate superior. The head of the office must see that all entries are duly made and attested, and that the book contains no erasure or overwriting, all corrections being neatly made and properly attested.

At a fixed time early in the year the service books should be taken up for verification by the head of the office or such other officer as may be specially authorised by Government in this behalf who after satisfying himself that the services of the Government servant concerned are correctly recorded in each service book should record in it a certificate in the following form over his signature—

"Service verified up to (date) from (the record from which the verification is made)."

The officer in recording the annual certificate of verification should, in the case of any portion of service that cannot be verified from office records distinctly state that for the excepted periods (naming them) a statement in writing, by the Government servant as well as a record of the evidence of his contemporaries, is attached to the book.

The verification of service referred to above should be in respect of all service qualifying for pension whether permanent, provisional, temporary or officiating.

Before the establishment pay bills are destroyed, the periods of temporary and officiating service should be verified by the heads of offices or such other officers as may be specially authorised by Government in this behalf, from the pay bills concerned and the fact of verification recorded under proper attestation in the service books.

Such officers should also invariably give necessary particulars with reference to rules 266 and 267 with a view to enable the Audit Office to decide later on by reference merely to such particulars whether the temporary or officiating service will qualify for pension or not; for example, in the case of officiating service, the nature of the vacancy in which the Government servant officiated and in the case of temporary service, whether the temporary post was subsequently made permanent, should be stated.

When a non-gazetted officer is transferred from one office to another, the head of the office or such other officers as may be specially authorised by Government in this behalf under whom he was originally employed, should record in the service book under his signature the result of the verification of service, with reference to pay bills and acquittance rolls in respect of the whole period during which the officer was employed under him, before forwarding the service book to the office where the services are transferred.

(40) Every period of suspension from employment and every other interruption of service must be noted, with full details of its duration, in an entry made across the page of the service book and must be attested by the attesting officer. It is the duty of the attesting officer to see that such entries are promptly made.

(41) Personal certificates of character must not, unless the head of the department so directs, be entered in a service book, but if a Government servant is reduced to a lower substantive post, the reason of the reduction must be briefly shown.

(42) It is the duty of every Government servant to see that his service book is properly maintained as prescribed in rule (39) in order that there may be no difficulty in verifying his service for pension. The head of the office should, therefore, permit a Government servant to examine his service book should he at any time desire to do so.

(43) When a non-gazetted Government servant is transferred, whether permanently or temporarily, from one office to another, the necessary entry of nature of the transfer should be made in his service book, which, after being duly verified to date and attested by the head of that office or such other officer as may be specially authorised by Government in this behalf, should be transmitted to the head of the office to which the Government servant has been transferred who will thenceforward have the book maintained in his office.

(44) When a non-gazetted Government servant is officiating in a gazetted post, his service book in duplicate shall be kept by the head of the office to which he permanently belongs but when he takes leave while so officiating the original copy of his service book shall be forwarded to the Audit office for reporting admissibility of the leave. When he is confirmed the original copy of the service book shall be permanently sent to the audit office after complete verification of the non-gazetted portion of his service.

(45) If a Government servant is transferred to foreign service the head of his office or department must send "original copy of his service book to such audit officer as the Auditor-General may prescribe and the duplicate copy of the service book shall be retained by the head of the office to which he permanently belongs". The Audit Officer will return it after noting in it, over his signature, the order sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particulars which he may consider to be necessary. On the Government servant's retransfer to Government service, his service book must again be sent to the Audit Officer who will then note in it, over his signature, all necessary particulars connected with the foreign service. No entry relating to the time spent in foreign service may be attested by any authority other than the Audit Officer.

(46) A service roll, in which the following particulars should be recorded, must be maintained for every other class of non-gazetted Government servants holding substantive appointments on a permanent establishment for whom no service book is necessary—

- (a) The date of his appointment.
- (b) His caste, tribe, village, age, height and marks of identification when appointed.
- (c) The posts which he from time to time holds; his promotions, and his reduction or other punishments.
- (d) His absences from duty, with or without leave.
- (e) Interruptions in his service.
- (f) Every other incident in his service which may involve forfeiture of a portion of or may affect the amount of his pension.

Every entry in the roll must be signed by the head of the office or such other officers as may be specially authorised by Government in this behalf. The services of such Government servant should be verified annually by the head of the office or such officer as may be specially authorised by Government in this behalf in the same manner as is prescribed in the case of superior servants, and a certificate of such verification should be recorded by the verifying officer in the service rolls of such Government servants.

(47) In the case of policeman of rank not higher than that of Assistant Sub-Inspectors, there must be maintained for each district by the Superintendent of Police a service roll in English, in which the following particulars should be recorded, for each man holding substantively a permanent post in the constabulary—

- (a) The date of his enrolment.
- (b) His caste, tribe, village, age, height and marks of identification when enrolled.
- (c) The rank which he from time to time holds; his promotions, and his reduction or other punishments.
- (d) His absences from duty, with or without leave.
- (e) Interruptions in his service.
- (f) Every other incident in his service which may involve forfeiture of a portion of it or may affect the amount of his pension.

From this roll the necessary statement of service of every applicant for pension shall be prepared, additional proofs being collected, in respect of any service rendered before enrolment in the constabulary which the applicant may be entitled to count.

The roll must be checked by the vernacular roll and order book and the punishment register and every entry in it must be signed by the Superintendent of Police or such other officer as may be specially authorised by Government in this behalf.

(48) A service roll as described in rule (46) must be maintained for every other class non-gazetted Government servants holding substantive appointments on a permanent establishment for whom no service book is necessary.

(49) (a) The service book may be given up to the Government servant if he resigns or is discharged from the service without fault, an entry to this effect being first made in the service book or, in the event of a Government servant's service terminating by his death, to his relatives on application.

(b) The service book of a Government servant who has been dismissed and who is afterwards reinstated should, on requisition, be returned to the head of the office in which he is re-employed.

NOTE— There is no objection to the service book being returned to a pensioner, if asked for by him, after the pension has been sanctioned. In such cases, a closing entry under the signature of the proper authority should be made prominently in the book at the end of the record of service as follows:—

“Mr..... left the service on pension on (date), and this book is returned to him at his own request.”

Form of leave

[See rule

Leave Account of _____

Date of attaining the age of 55-60 years _____

Date of coming under Civil Leave Rules _____

Government served under		Duty.	Leave earned.	Leave at credit	Leave
1	2				
From	2				
To	3				
y.	4		1/11th of duty subsequent to coming under Fundamental Rules. [Rule 81(b) (ii).]		
m.	5		Balance of 2/11ths of duty subsequent to coming under Fundamental Rules.		
d.	6		1/11th of duty subsequent to coming under Fundamental Rules. Rule 81(b) (i) (columns 16+4).		
y.	7		Balance of 2/11ths of duty subsequent to coming under Fundamental Rules. (columns 17+5).		
m.	8		Total (columns 6+7.)		
d.	9	Dates.			
From	10		Against entries in column 6.		
To	11		Against limit of one year for leave on m. c. and leave spent elsewhere than in Pakistan, India or Ceylon. [Proviso to rule 81(b) (ii).]		
y.					
m.					
d.					

On average pay.

Account.

(2)]

Date of commencement of service _____.

Date of contract, if any _____.

taken.

One half or quarter average pay.

Balance.
(On return from leave.)

		12	Dates.	
	From			
	To			
	y.			
	m.	13	Actual period.	
	d.			
	y.			
	m.	14	Actual period converted into period in terms of leave on average pay.	
	d.			
	y.			
	m.	15	Total (columns 10+11+14).	
	d.			
	y.			
	m.	16	Of leave equivalent to 1/11th of duty subsequent to coming under Fundamental Rules. [Rules 81(b),(ii)] (columns 6—10.)	
	d.			
	y.			
	m.	17	Of leave equivalent to balance of 2/11ths of duty subsequent to coming under Fundamental Rules. (Column 7)—(Columns 11+14).	
	d.			
	y.			
	m.	18	Total (Columns 8—15.)	
	d.			
		19	Remarks.	

APPENDIX No. 9.

[Rule 2 (a) (II).]

Model Agreement Forms for the recruitment of officers.

MODEL AGREEMENT FORM No. 1.

(Initial Agreement for recruitment outside Pakistan, with Memorandum for re-engagement for a further definite period.)

NOTICE

A person selected to fill the agreement will be subject in all respects throughout his service to the orders of the Government of East Pakistan. His pay and allowances and the Government contribution to his Provident Fund will be subject to the vote of the Legislative Assembly.

ARTICLES OF AGREEMENT made the.....day of.....
one thousand nine hundred and.....BETWEEN
of.....of the first part and the Governor of East
 Pakistan (hereinafter called the Governor) of the second part.

WHEREAS the Governor has engaged the party of the first part and the party of the second part has agreed to serve the Governor on the terms and conditions hereinafter contained.

NOW THESE PRESENTS WITNESS and the parties hereto respectively agree as follows—

1. The party of the first part shall be provided with a first or appropriate tourist class passage to Pakistan and on being provided with such passage shall proceed thither within such time and by such vessel as may be prescribed by or on behalf of the Governor.

NOTE—The inappropriate words should be struck out at the time the agreement is entered into if at the time of booking a passage, a tourist class passage appropriate to the status of the party of the first part is not available at a cost less than the cost of a second class B passage, the latter class of passage will be provided.

2. The party of the first part shall on arrival in Pakistan forthwith report himself for duty without avoidable delay as directed by or on behalf of the Governor and shall submit himself to the orders of the Governor and of the officers and authorities under whom he may from time to time be placed by the Governor and shall, from the date of his disembarkation at a port in Pakistan embarkation for Pakistan remain in the service for the term ofyear subject to the provisions herein contained. He shall devote his wholetime to his duties and at all times obey the rules, including the Government Servants' Conduct Rules, prescribed for the time being for the regulation of the branch of the public service to which he may belong and shall, whenever required, proceed to any part of Pakistan and there perform such duties as may be assigned to him.

3. If the party of the first part fails to proceed to Pakistan or to join his appointment there as ordered or if he at any time during the said term of.....years voluntarily quits the service without giving due notice and without the permission of the Governor, he shall forthwith on demand repay to the Governor the cost of the passage provided under clause 1 hereof.

4. The service of the party of the first part may be terminated as follows—

(1) At the end of the first year by either party without notice.

(2) At any time on three calendar months' notice in writing given to him by the Governor, if in the opinion of the Governor, the party of the first part proves unsuitable for the efficient performance of his duties during service under this agreement.

- (3) By the Governor without previous notice if the Governor is satisfied on medical evidence that the party of the first part is unfit and is likely for a considerable period to continue unfit by reason of ill-health for the discharge of his duties in Pakistan: PROVIDED always that the decision of the Governor that the party of the first part is likely to continue unfit shall be conclusively binding on the party of the first part.
- (4) By the Governor or his officers having proper authority without any previous notice if the party of the first part shall be guilty of any insubordination, intemperance or other misconduct or of any breach or non-performance of any of the provisions of these presents or of any rules pertaining to the branch of the public service to which he may belong.
- (5) By six calendar months' notice in writing given at any time during service under this agreement (except during the first year thereof) either by him to the Governor or by the Governor or his authorised officer to him without cause assigned:

PROVIDED always that the Governor may in lieu of any notice herein provided for give the party of the first part a sum equivalent to the amount of his pay for six months or shorter notice than six months the Governor pays him a sum equal to the amount of his pay for the period by which such notice falls short of six months. PROVIDED also that in the event of a notice being given under sub-clause (2) of this clause then the word "three" shall be read in place of the word "six" in the preceding proviso.

The term "pay" for the purpose of this clause shall mean the pay (including special pay and personal pay, if any) the party of the first part is receiving under these presents at the time, unless he is receiving officiating pay in which case it shall mean the pay (including special pay and personal pay, if any) of his substantive appointment.

5. If the party of the first part be suspended from duty during investigation into any charge of misconduct mentioned in clause 4 (4) hereof he shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Governor may decide to allow him.

6. The scale of pay attached to the post.....to which the party of the first part is appointed shall comprise the following monthly rates of pay in successive stages of twelve months' service—

Stages.	Pay.
	Rs.
1
2
3
etc.	

He shall from the date of his embarkation for Pakistan/his disembarkation in Pakistan/the execution of this agreement be granted pay at the rate of Rupees.....per mensem in the aforesaid scale and shall receive pay in the succeeding stages provided for in that scale in accordance with the provisions of the rules for the time being in force and applicable to his case, service in the stages reckoning from the aforesaid date. The pay from time to time payable to him under these presents shall be paid for such time as he shall serve under this agreement and actually perform his duties commencing from the aforesaid date and ceasing on the date of his quitting service in Pakistan or on the day of his discharge therefrom or on the day of his death if he dies whilst in service. PROVIDED that if at any time the party of the first part proceeds on deputation out of Pakistan his pay during the period of his deputation shall be regulated by the ordinary rules regarding deputation.

7. The party of the first part shall be eligible subject to the exigencies of the public service for leave and leave-salary under the rules which may from time to time be applicable to him.

8. If the party of the first part is required to travel in the interest of the public service he shall be entitled to travelling allowance on the scale provided for in the rules framed by the Governor for the time being in force and applicable to his case and similar travelling allowance shall also be payable to him in respect of his journey from the port of disembarkation to the station of his first joining the appointment.

9. The party of the first part shall be eligible for any concessions in relations to medical attendance and treatment that may be prescribed by the Governor for the class of officers serving in the same station to which the Governor may declare the party of the first part to correspond in status or conditions of service.

10. During his service under these presents, the party of the first part* shall be permitted to/ shall subscribe to the Contributory Provident Fund and shall be subject to the rules of that Fund for the time being in force.

**11. If during his service under these presents the party of the first part becomes or continues to be insured as a Voluntary Contributor under the National Health Insurance Acts and Widows', Orphans' and Old Age Contributory Pensions Acts for the time being in force the Governor shall pay one-half of the combined contribution payable by him as such contributor during the first five years of his service and thereafter one-half of the contribution payable by him as a contributor under the Contributory Pensions Acts only, and in that event he shall authorise the Governor to pay in the United Kingdom on his behalf the balance of such contribution and the surrender by the Governor at the appropriate time of the duly stamped contribution card to his Approved Society or to the appropriate Insurance Department shall be a sufficient discharge in respect of any liability incurred by the Governor under this clause.

12. In any payments made to the party of the first part in the United Kingdom under these presents the rate of exchange then applicable to the class of transaction concerned as decided by the Government from time to time shall be observed.

13. Notwithstanding anything hereinbefore contained the party of the first part shall unless otherwise decided by the Governor be entitled to receive in whole or in part as may be authorised by the Governor the benefits of any improvement that may be sanctioned by the Governor subsequent to the date of these presents in the terms and conditions of service of members of the branch of the public service to which he may for the time being belong and the decision of the Governor in respect of such improvement in the terms and conditions of service of the party of the first part shall operate so as to modify to that extent the provisions of these presents.

14. All acts authorised or required to be done by the Governor may be done in the United Kingdom by the High Commissioner for Pakistan in United Kingdom acting on his behalf.

15. On the completion by the party of the first part of his full term of service under this agreement or on his being allowed by the Governor to proceed on leave preparatory to his retirement on the expiry of that term, or on the determination of his service by the Governor under sub-clauses (1), (2), (3) and (5) of clause 4 hereof the Governor shall provide him with a first or appropriate tourist class passage to England (or at his option with a passage to any other country at a cost not exceeding that of a first or appropriate tourist class passage to England) provided that he claims such passage and leaves Pakistan within three months of the completion of the said terms or of the commencement of his leave or of the determination of his service and that if his service is determined on account of ill-health such ill-health has not been brought on by his neglect or carelessness or misconduct (of which he certificate of a medical officer nominated by the Government shall be conclusive).

†NOTE—The in appropriate words should be struck out at the time the agreement is entered into. If, at the time of booking a passage a tourist class passage appropriate to the status of the party of the first part is not available at a cost less than the cost of a second class B passage the latter class of passage will be provided.

16. Notwithstanding anything hereinbefore contained, the pay and leave-salary admissible under these presents whether payable in Pakistan or elsewhere shall be subject to any emergency cut that may be ordered by the Governor for the same period and on the same terms as for other offices under the administrative control of the Governor.

17. In respect of any matter for which no provision has been made in this agreement the provisions of the Civil Services (Classification, Control and Appeal) Rules, any rules made thereunder and any other rules made or deemed to be made under the Constitution shall apply to the extent to which they are applicable to the service hereby provided for and the decision of the Governor as to their applicability shall be final.

*For optional subscriber.

†For compulsory subscriber.

**For subordinate personnel only.

In witness whereof the party of the first part and (for and on behalf) of the Governor have hereunto set their hands the day, month and year first above written.

The party of the first part in the presence of.....

Designation.....

for and on behalf of the Governor.

MEMORANDUM.

The within named Mr.....has been re-engaged and his service extended for a further period of.....years subject *mutatis mutandis* to the conditions of the within agreement and his scale of pay shall as from the..... day of.....henceforth comprise the following monthly rates of pay in successive stages of twelve months' service:—

Stages.	Pay.		
	Rs.		
1
2
3

etc.

In addition, he shall be eligible for the grant of passages at the expense of the State as provided in the.....

In witness whereof the party of the first part and.....on behalf of the Governor of East Pakistan have hereunto set their hands.

Dated this.....day of.....19 .

MODEL AGREEMENT FORM No. II.

(Initial agreement for recruitment in Pakistan, with Memorandum for re-engagement for a further definite period.)

NOTICE.

A person selected to fill the agreement will be subject in all respects throughout his service to the orders of the Government of East Pakistan. His pay and allowances and the Government contribution to his Provident Fund will be subject to the vote of the Legislative Assembly.

ARTICLES OF AGREEMENT made the..... day of..... one thousand nine hundred and..... BETWEEN..... of..... of the first part and the Governor of East Pakistan (hereinafter called "Governor") of the second part.

WHEREAS the Governor has engaged the party of the first part and the party of the first part has agreed to serve the Governor on the terms and conditions hereinafter contained.

NOW THESE PRESENTS WITNESS and the parties hereto respectively agree as follows—

1. The party of the first part shall submit himself to the orders of the Governor and of the officers and authorities under whom he may from time to time be placed by the Governor and shall remain in the service for the term of..... years commencing from the..... day of..... one thousand nine hundred and..... subject to the provisions herein contained.

2. The party of the first part shall devote his whole time to his duties and at all times obey the rules including the Government Servants' Conduct Rules prescribed for the time being for the regulation of the branch of the public service to which he may belong and shall, whenever required, proceed to any part of Pakistan and there perform such duties as may be assigned to him.

3. The service of the party of the first part may be terminated as follows:—

- (1) At the end of the first year by either party without notice.
- (2) At any time on the three calendar months' notice in writing given to him by the Governor if, in the opinion of the Governor, the party of the first part proves unsuitable for the efficient performance of his duties during service under this agreement.
- (3) By the Governor without previous notice if the Governor is satisfied on medical evidence that the party of the first part is unfit and is likely for a considerable period to continue unfit by reason of ill-health for the discharge of his duties in Pakistan. PROVIDED always that the decision of the Governor that the party of the first part is likely to continue unfit shall be conclusively binding on the party of the first part.
- (4) By the Governor or his officers having proper authority without any previous notice if the party of the first part shall be guilty of any insubordination, intemperance or other misconduct or of any breach or non-performance of any of the provisions of these presents or of any rules pertaining to the branch of the public service to which he may belong.
- (5) By six calendar months' notice in writing given at any time during service under this agreement (except the first year thereof) either by him to the Governor or by the Governor or his authorised officer to him without cause assigned.

PROVIDED always that the Governor may in lieu of any notice herein provided for give the party of the first part a sum equivalent to the amount of his pay for six months or shorter notice than six months if the Governor pays him a sum equal to the amount of his pay for the period by which such notice falls short of six months. PROVIDED also that in the event of a notice being given under sub-clause (2) of this clause then the word "three" shall be read in place of the word "six" in the preceding proviso.

The term "pay" for the purpose of this clause shall mean the pay (including special pay and personal pay, if any) the party of the first part is receiving under these presents at the time, unless he is receiving officiating pay, in which case it shall mean the pay (including special pay, and personal pay if any) of his substantive appointment.

4. If the party of the first part be suspended from duty during investigation into any charge of misconduct mentioned in clause 3 (4) hereof he shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Governor may decide to allow him.

5. The scale of pay attached to the post of.....to which the party of the first part is appointed shall comprise the following monthly rates of pay in successive stages of twelve months' service:—

Stages.	Pay.
	Rs.
1
2
3

etc.

He shall from the date of taking over charge of office the execution of his agreement be granted pay at the rate of Rupees.....per mensem in the aforesaid scale and shall receive pay in the succeeding stages provided for in that scale in accordance with the provisions of the rules for the time being in force and applicable to his case, service in the stages reckoning from the aforesaid date. The pay from time to time payable to him under these presents shall be paid for such time as he shall serve under this agreement and actually perform his duties commencing from the aforesaid date and ceasing on the date of his quitting service in Pakistan or on the day of his discharge therefrom or on the day of his death if he dies while in service. PROVIDED that, if at any time the party of the first part proceeds on deputation out of Pakistan his pay during the period of his deputation shall be regulated by the ordinary rules regarding deputation.

6. The party of the first part shall be eligible subject to the exigencies of the public service for leave and leave salary under the rules which may from time to time be applicable to him.

7. If the party of the first part is required to travel in the interest of the public service he shall be entitled to travelling allowance on the scale provided for in the rules framed by the Governor for the time being in force and applicable to his case.

8. The party of the first part shall be eligible for any concessions in relation to medical attendance and treatment that may be prescribed by Governor for the class of officers serving in the same station to which the Governor may declare the party of the first part to correspond in status or conditions of service.

9. During his service under these presents, the party of the first part *shall be permitted to/†shall subscribe to the Contributory Provident Fund and shall be subject to the rules of that Fund for the time being in force.

Note—The inappropriate words should be struck out at the time the agreement is entered into.

10. In any payments made to the party of the first part in the United Kingdom under these presents the rate of exchange then applicable to the class of transaction concerned as decided by the Government from time to time shall be observed.

11. Notwithstanding anything hereinbefore contained the party of the first part shall unless authootherwise decided by the Governor be entitled to receive in whole or in part as may be authorised by the Governor the benefits of any improvement that may be sanctioned by the Governor subsequent to the date of these presents in the terms and conditions of service of members of the branch of the public service to which he may for the time being belong and the decision of the Governor in respect of such improvement in the terms and conditions of service of the party of the first part shall operate so as to modify to that extent the provisions of these presents.

*For optional subscribers.

†For compulsory subscribers.

12. All acts authorised or required to be done by the Governor may be done in the United Kingdom by the High Commissioner for Pakistan acting in the United Kingdom on his behalf.

13. Notwithstanding anything hereinbefore contained the pay and leave-salary admissible under these presents whether payable in Pakistan or elsewhere shall be subject to any emergency cut that may be ordered by the Governor for the same period and on the same terms as for other officers under the administrative control of the Governor.

14. In respect of any matter for which no provision has been made in this agreement the provisions of the Civil Services (Classification, Control and Appeal) Rules, any rules made thereunder and any other rules made or deemed to be made under the Constitution shall apply to the extent to which they are applicable to the service hereby provided for and the decision of the Governor as to their applicability shall be final.

In witness whereof the party of the first part and..... for and on behalf of the Governor have hereunto set their hands the day, month and year first above written.

The party of the first part in the presence of.....

Designation.....
for and on behalf of the Governor.

MEMORANDUM.

The within named Mr..... has been re-engaged and his service extended for a further period of..... years subject *mutatis mutandis* to the conditions of the within agreement and his scale of pay shall as from the..... day of..... henceforth, comprise the following monthly rates of pay in successive stages of twelve months' service:—

Stages.	Pay.
	Rs.
1	
2	
3	
etc.	

In witness whereof the party of the first part and..... on behalf of the Governor of East Pakistan have hereunto set their hands.

Dated this.....day of.....19

MODEL AGREEMENT FORM No. III.

(Agreement for extension of service for an indefinite period.)

NOTICE.

A person selected to fill this agreement will be subject in all respects throughout his service to the orders of the Government of East Pakistan. His pay and allowances and the Government contribution to his Provident Fund will be subject to the vote of the Legislative Assembly.

ARTICLES OF AGREEMENT made the..... day of.....
one thousand nine hundred and.....
 BETWEEN.....of.....
 of the first part and the Governor of East Pakistan (hereinafter called "Governor") of the second part. WHEREAS the party of the first part was engaged by the Governor to serve the Governor under an agreement dated the.....day of.....
one thousand nine hundred and.....
 AND WHEREAS the said agreement has terminated AND WHEREAS the Governor has now re-engaged the party of the first part and the party of the first part has agreed to continue to serve the Governor on the terms and conditions hereinafter contained.

NOW THESE PRESENTS WITNESS and the parties hereto respectively agree as follows—

1. The party of the first part shall submit himself to the orders of the Governor and of the officers and authorities under whom he may from time to time be placed by the Governor. He shall devote his whole time to his duties and at all times obey the rules including the Government Servants' Conduct Rules prescribed for the time being for the regulation of the branch of the public service to which he may belong and shall whenever required proceed to any part of Pakistan and there perform such duties as may be assigned to him.

2. Unless the service of the party of the first part is terminated as hereinafter provided he shall continue in the employment of the Governor until he attains the age of fifty-five years when he shall retire. PROVIDED that the Governor may retain his services after he has attained that age for such period as may be agreed upon subject to the provisions of the rules for the time being in force and applicable to him and to the provisions herein contained.

3. The service of the party of the first part may be terminated as follows:—

- (1) At any time on three calendar months' notice in writing given to him by the Governor if, in the opinion of the Governor, the party of the first part proves unsuitable for the efficient performance of his duties during service under this agreement.
- (2) By the Governor without previous notice if the Governor is satisfied on medical evidence that the party of the first part is unfit and is likely for a considerable period to continue unfit by reason of ill-health for the discharge of his duties in Pakistan. PROVIDED always that the decision of the Governor that the party of the first part is likely to continue unfit shall be conclusively binding on the party of the first part.
- (3) By the Governor or his officers having proper authority without any previous notice if the party of the first part shall be guilty of any insubordination, intemperance or other misconduct or of any breach or non-performance of any of the provisions of these presents or of any rules pertaining to the branch of the public service to which he may belong.

- (4) By six calendar months' notice in writing given at any time during service under this agreement (except during the first year thereof) either by him to the Governor or by the Governor or his authorised officer to him without cause assigned.

PROVIDED always that the Governor may in lieu of any notice herein provided for give the party of the first part a sum equivalent to the amount of his pay for six months or shorter notice than six months if the Governor pays him a sum equal to the amount of his pay for the period by which such notice falls short of six months. PROVIDED also that in the event of a notice being given under sub-clause (1) of this clause then the word "three" shall be read in place of the word "six" in the preceding proviso.

The term "pay" for the purpose of this clause shall mean the pay (including special pay and personal pay, if any) the party of the first part is receiving under these presents at the time, unless he is receiving officiating pay in which case it shall mean the pay (including special pay and personal pay, if any) of his substantive appointment.

4. If the party of the first part be suspended from duty during investigation into any charge of misconduct mentioned in clause 3(3) hereof he shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Governor may decide to allow him.

5. During the period of his employment under these presents the party of the first part shall receive subject to the provisions of the rules for the time being in force and applicable to him such rate and scale of substantive pay (as defined therein) as may be attached under the orders of the Governor to the appointment held by him from time to time. The pay from time to time payable to him under these presents shall be paid for such time as he shall serve under this agreement and actually perform his duties and shall cease on the date of his quitting service in Pakistan or on the day of his discharge there from or on the day of his death if he dies whilst in service. PROVIDED that if at any time the party of the first part proceeds on deputation out of Pakistan his pay during the period of his deputation shall be regulated by the ordinary rules regarding deputation.

6. The party of the first part shall during his service under these presents be eligible subject to the exigencies of the public service for leave and leave-salary under the rules which may from time to time be applicable to him.

7. If the party of the first part is required to travel in the interest of the public service during the period of his engagement he shall be entitled to travelling allowance on the scale provided for in the rules framed by the Governor for the time being in force and applicable to him.

8. The party of the first part shall be eligible for any concessions in relation to medical attendance and treatment that may be prescribed by Governor for the class of officers serving in the same station to which Governor may declare the party of the first part to correspond in status or conditions of service.

9. During his service under these presents, the party of the first part shall be permitted to/shall subscribe to the Contributory Provident Fund and shall be subject to the rules of that Fund for the time being in force.

10. In any payments made to the party of the first part in the United Kingdom under these presents the rate of exchange then applicable to the class of transaction concerned as decided by the Governor from time to time shall be observed.

11. Notwithstanding anything herein before contained the party of the first part shall unless otherwise decided by the Governor be entitled to receive in whole or in part as may be authorised by the Governor the benefits of any improvement that may be sanctioned by the Governor subsequent to the date of these presents in the terms and conditions of service of members of the branch of the public service to which he may for the time being belong and the decision of the Governor in respect of such improvement in the terms and conditions of service of the party of the first part shall operate so as to modify to that extent the provisions of these presents.

*For Optional subscribers,
†For compulsory subscribers.

12. All acts authorised or required to be done by the Governor may be done in the United Kingdom by the High Commissioner for Pakistan in the United Kingdom acting on his behalf.

13. Notwithstanding anything hereinbefore contained, the pay and leave salary admissible under these presents whether payable in Pakistan or elsewhere shall be subject to any emergency cut that may be ordered by the Governor for the same period and on the same terms as for other officers under the administrative control of the Governor.

14. In respect of any matter for which no provision has been made in this agreement the provisions of the Civil Services (Classification, Control and Appeal) Rules, any rules made thereunder and any other rules made or deemed to be made under the Constitution shall apply to the extent to which they are applicable to the service hereby provided for and the decision of the Governor as to their applicability shall be final.

In witness whereof the party of the first part and for and on behalf of the Governor have hereunto set their hands the day, month and year first above written.

The party of the first part in the presence of.....

Designation.....
for and on behalf of the Governor.

APPENDIX No. 10.

[Rules 286 and Note to S.R. 231 framed under the Treasury Rules.]

List of posts in the Lower Subordinate Service.

I. Posts in pensionable establishment.

1. Assistant Roller Moulder (Government Press).
2. Assistant Typer (Government Press).
3. Barkandaz.
4. Bearer.
5. Boatman in launches and Government vessels.
6. Butcher (Agricultural Marketing Directorate).
7. Butler (Post Office).
8. Carpenter of Pilot vessels.
9. Chainman.
10. Civil Treasury Guards.
11. Cleaners (Textile Institute).
12. Clothier (Medical Department).
13. Crew in launches and Government vessels.
 [N.B.—Coal trimmers on Government launches are members of the crew.]
14. Cutler.
15. Dakwala.
16. Damper.
17. Dandy in launches and Government vessels.
18. Dandy on State yachts.
19. Daffadar (C. B. & I. Department).
20. Domes (in Hospitals).
21. Dufry.
22. Darwan.
23. Farash.
24. Finisher (Government Press).
25. Forme Carrier (Government Press).
26. Forme Proof Inkman (Government Press).
27. Forme Washer (Government Press).
28. Forest Guards.
29. Goliah on State yachts.
30. Injector (Medical College).

31. Keeper (Asylum).
32. Khalashi in launches.
33. Koyal (C. B. & I. Department).
34. Laboratory Bearer (Textile Institute and Institute of Glass and Ceramics).
35. Laskar.
36. Malla in Launches and Government vessels.
37. Manjhi in launches and Government vessels.
38. Messenger.
39. Methors (in Hospitals).
40. Methoranis (in Hospitals).
41. Metal Melter (Government Press).
42. Mistry (Medical College).
43. Native Engineer (Medical College).
44. Orderly.
45. Peon.
46. Porters.
47. Process servers.
48. Pump driver at the Police Training College, Sardah.
49. Sarkar (Jail Depot).
50. Stewards in launches and Government vessels.
51. Stoker in launches.
52. Sweepers including Jamadars (in Hospitals).
53. Taxidermist (Dacca Medical School).
54. Taxidermist (Assistant, Medical College).
55. Treasure guard (C. B. & I. Department).
56. Unskilled workman (Institute of Leather).
57. Workman (Sales and Supply).
58. Warder (Asylum).
59. Ward Servants including Sardars (in Hospitals).
60. Winchman (Port Office).

II. *Posts which do not carry any pension but will be considered as pensionable so long as they are held by persons who were in service in those posts on 18th January, 1924.*

1. Abdur.
2. Ayah.
3. Blacksmith (Medical College).

4. Boilerman.
5. Bottle washer.
6. Butcher.
7. Caretaker.
8. Carpenter (other than of Pilot vessels).
9. Chowkidar.
10. Clothier (Police).
11. Coachman.
12. Cowboy.
13. Dissector (Police Morgue).
14. Embankment Patrol (C.B. & I. Department).
15. Forgerman.
16. Gasman.
17. Goala.
18. Goaldar.
19. Hammerman.
20. Harkara.
21. Jungle cutter.
22. Painter.
23. Poster.
24. Salesman.
25. Trimmer (except coal trimmer on Government launches).
26. Watchman.

III. Posts which do not carry any pension.

1. Barber.
2. Belder.
3. Bhandari.
4. Bhisty.
5. Boy greaser.
6. Boy in launches.
7. Bullock-driver.
8. Cart-driver or carter.
9. Chowdhury.
10. Cook.

11. Coolie.
12. Dhai.
13. Dhangar.
14. Dhovi.
15. Dome (other than in hospitals).
16. Farash.
17. Female attendant of Inspectress and Assistant Inspectress of Schools.
18. Fireman.
19. Fomentation coolie.
20. Goorga.
21. Grass-cutter.
22. Hospital Servant.
23. Inkman.
24. Instrument cleaner.
25. Jamadar Mahut.
26. Khalashi in Collectorate.
27. Khansama.
28. Khitmatgar.
29. Khuwas (Education Department).
30. Laboratory servants (Agricultural Department).
31. Lampman.
32. Lamp trimmer.
33. Litho Khalashi (C. B. & I. Department).
34. Mahut.
35. Maid servant.
36. Mali.
37. Mali's goorga.
38. Masalchie.
39. Mate.
40. Mate (Sectt. Book Depot).
41. Mate coolie.
42. Methar (other than in hospitals).
43. Mess-house bearer.
44. Methrani (other than in hospitals).
45. Muchi.

46. Packer.
 47. Pie-washer.
 48. Preparers (Agricultural Department).
 49. Pumpman.
 50. Rollerman.
 51. Shop Coolie.
 52. Sigligar.
 53. Stoker (other than in launches).
 54. Store servant.
 55. Sweeper (other than in hospitals).
 56. Syce.
 57. Tailor (other than in Jail Department).
 58. Tent khalashies.
 59. Topay.
 60. Trolly man.
 61. Ward coolie.
 62. Water carrier.
 63. Waterman.
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Concordance showing the source of each rule in the East Pakistan Service Rules, Part I.

- Rule 1—No explanation is necessary.
- Rule 2—Also calls for no comment.
- Rule 3 (omitted).
- Rule 4—F.R.8.
- Note 1 to Rule 4—F.R. 7.
- Rule 5—
- Clause (1) is new, requires no explanation.
- Clause (2)—S.R. 23 (a) suitably adapted.
- Clause (3)—S.R. 287 (b).
- Clause (4)—Art. 487, C.S.R., suitably adapted.
- Clause (5)—F.R. 9 (2) adapted to include its application to the Revised Leave Rules and to foreign service. Audit Instructions 2 and 3, Note 2, to F.R. 9 (2) and Audit Instruction (2) to F.R. 117 are included as notes.
- Clause (6) defines a new term in use now. It is actually employed in Part II and may be more used in future.
- Clause (7)—Substantially repeats F.R. 9 (4).
- Clause (8)—S.R. 23 (b).
- Clause (9)—S.R. 23 (c).
- Clause (10)—S.R. 23 (c—1).
- Clause (11) is necessary so long as reference to these rules has to be made in Chapter
- Clause (12)—F.R. 9(17) adapted.
- Clause (13) takes all that is necessary of F.R. 9 (5) and S.R. 3.
- Clause (13A) is new; its need is obvious.
- Clause (14)—S.R. 183 adapted.
- Clause (15)—S.R. 23 (e).
- Clause (16) is a new term introduced to avoid a confusion which is frequent.
- Clause (17) combines F.R. 9 (6) and S.R. 4.
- Clause (18) is a new term to bring the definition into line with the Civil Services (Classification, Control and Appeal) Rules and to distinguish it from Provincial Services.]
- Clause (19) reproduces in substance the definition contained in the Recruitment Rules
- Clause (20) is Art. 486, C.S.R., suitably adapted.
- Clause (21) is F.R. 45-C suitably adapted.
- Clause (22) is a redraft of S.R. 23 (f).
- Clause (23) is a new term used in section 6 (8) of the Act.
- Clause (24)—F.R. 9 (6-A).
- Clause (25)—F.R. 9 (7) adapted.
- Clause (26) is new, its need is obvious.
- Clause (27) is taken from the Revised Leave Rules as it is of general application.
- Clause (28) is new, but is necessary as the old Delegation Chapter is being absorbed in the rules.
- Clause (29)—S.R. 23 (b).
- Clause (30)—F.R.9 (9).
- Clause (31) follows F.R. 9 (10).
- Clause (32)—F.R. 9 (11) with a reference to the Revised Leave Rules.
- Clause (33)—F.R. 9 (12) elaborated to include the case of foreign service.
- Clause (34)—F.R. 9 (13).
- Clause (35)—F.R. 9 (14).

Clause (36)—A new term to introduce a new service in terms of E.B.F.D. No. 4594F, dated the 17th July 1951.

Clause (37)—F.R. 9 (18).

Clause (38) adapts and clarifies F.R. 9 (19).

Clause (39)—F.R. 9 (20).

Clause (40)—F.R. 9 (21) (a) suitably adapted.

Clause (41)—Art. 41, C.S.R.

Clause (42)—F.R. 9 (22).

Clause (43)—F.R. 9 (23).

Clause (44)—F.R. 9 (24).

Clause (45)—A new term which has to be used in the pension rules which have now been included in this part.

Clause (46)—S.R. 287 (a). The Note is based on para. (2) of Audit Instruction under Fundamental Rule 9 (6).

Clause (47)—S.R. 23 (i).

Clause (48)—F.R. 9 (25).

Clause (49)—S.R. 65.

Clause (50)—F.R. 9 (27) replaced.

Clause (51)—F.R. 9 (28).

Clause (52)—S.R. 2 (17) of the rules framed by the Government of Pakistan.

Clause (53)—F.R. 9 (30).

Clause (54)—F.R. 9 (30-A).

Clause (55)—F.R. 9 (31) with omission of reference to progressive pay which is no longer extant.

Clause (56)—S.R. 23 (j).

Clause (57)—F.R. 9 (32).

Clause (58)—S.R. 259.

Rule 6 is new, but see the Secretary of State's Order No. 2 under F.R. 91.

Rule 7 takes the substantive portion of S.R. 7.

Rule 8 contains the power of condonation implicit in S.R. 7.

Rule 9 gives the force of rule to a resolution of Government of several year's standing.

Rule 10 contains the substance of F.R. 10 and delegations under it.

Rules 11 and 12 take in the substance of S.R. 10 and notes thereunder.

Rule 13 follows S.R. 8.

Rule 14 follows S.R. 9.

Rule 15—F.R. 11.

Rule 16—F.R. 12.

Rule 17—F.R. 12A.

Rule 18—S.R. 5.

Rule 19—F.R. 13 with minor verbal changes.

Rule 20—F.R. 14 with similar small changes.

Rule 21—F.R. 14A (a) and (b).

Rule 22 combines F.R. 14A (c) and F.R. 97 (2).

Rule 23—F.R. 14B.

Rule 24—F.R. 15.

NOTE.—G.L.F.D. No. F. 452-ri/27, dated the 1st February 1928.

Rule 25 corresponds to F.R. 16.

Rule 26—F.R. 17 (1) and Audit Instruction (1).

Rule 27 is a rendering of the Secretary of State's ruling under F.R. 17 and also of the Secretary of State's rule No. (2) under F.R. 43 (a).

Rule 28 with the note—S.Rs. 11 and 12.

- Rule 29 takes in S.R. 13, note 1 thereto and the delegation thereunder.
- Rule 30—S.R. 14.
- Rule 31—S.R. 15. Some of the notes to S.R. 67 are also taken in here.
- Rule 32 takes in part of note 2 to S.R. 15.
- Rule 33—S.R. 16.
- Rule 34—F.R. 18.
- Rule 35 takes in rules 1 to 9 of notification No. 985F., dated the 17th February 1927 and the Schedule to the F.R.
- Rule 36 adapts rule 10 of the rules referred to above.
- Rule 37 is rule 11 *ibid*, adapted to permit of a final decision for the purpose of these rules. (For example, for the purpose of an application to be declared of certain domicile, Government will be enabled to reach a final decision as to the domicile of the applicants' father, though such a decision would not be binding for other purpose).
- Rule 38. (omitted).
- Rule 39 is an adaptation of F.R. 20.
- Rule 40 adapts S.R. 19 to present requirements.
- Rule 41 reproduces substantially F.R. 21.
- Rule 42 reproduces with minor changes F.R. 22.
- Rule 43 reproduces for future use the Government of India's F.R. 22A.
- Rule 44 reproduces F.R. 23. The note is based on a ruling of the Government of India.
- Rule 45 is a redraft of the final sentence of F.R. 24 with the Government of India's ruling thereunder.
- Rule 46—F.R. 25.
- Rule 47 is a redraft of S.R. 20.
- Rule 48 is F.R. 26 with the provisos to clauses (b) and (d) thereof included as a separate clause (f) and Audit Instruction 2 added as clauses (g).
- Note to Rule 48 (d) is based on G.O. No. 7304 F., dated the 11th October 1952.
- Rule 49 takes the substance of F.R. 27 and S.R. 21.
- Note 2 is based on G.O. No. 6371F., dated the 25th October 1951.
- Rule 50 incorporates the rule in notification No. 7887F., dated the 14th September 1936.
- Rule 51 reproduces the note to F.R. 27.
- Rules 52 and 53 reproduce the rules in notification No. 786T.F., dated the 15th June 1928.
- Rule 54 takes all that is required of F.R. 30.
- Note is based on a decision of the Government of India under Fundamental Rule 30 [(G.I.F.D. No. F.27(1)-Ex. I-36, dated the 20th February 1936, etc.).
- Rule 55 reproduces F.R. 31.
- Rule 56—F.R. 31A.
- Rule 57 adapts F.R. 33.
- Rule 58 adapts F.R. 35 and takes Audit Instruction (2) thereunder as a note.
- Note 3 is based on an Audit Instruction under Fundamental Rule 35.
- Rule 59 substitutes for F.R. 36 the delegated powers.
- Rule 60 is substantially F.R. 37.
- Rule 61 (Omitted).
- Rules 62 and 63 redraft F.R. 46 and S.Rs. 189 to 193.
- Rule 64 takes in S.R. 194 and the delegations.
- Rule 65 is F.R. 49 with the delegations included.
- Note 2 is based on Article 162A C.S.R.
- Rule 66 adapts F.R. 50.
- Rule 67—Audit Instruction (1) to F.R. 50.

- Rule 68 takes the relevant portions of F.R. 51 and notes.
Note 4 is new.
Note 5 comes from an Audit Instruction quoted at page 159 of the Posts and Telegraphs compilation of the F.S.R. under F.R. 30.
Rule 69 (1) is taken from paragraph 4 of Secretary of State's orders under F.R. 51.
Rule 69 (2) is derived from Secretary of State's order *ibid*, paragraph 6, as amended by correction slip No. 643.
Rule 70—F.R. 52.
Rule 71 is the Provincial adaptation of F.R. 53 made in notification No. 5820F., dated the 10th August 1935.
Rule 72 is a slight modification of the Provincial adaptation of F.R. 54 made in notification No. 9753F., dated the 28th November 1936, S.R. 198 being taken as a note.
Rule 73 is a redraft of S.R. 199.
Note 1 is based on E.B.G.F.D. No. 9157F., dated the 29th December 1951.
Rule 74 recasts F.R. 55.
Rule 75 (Omitted).
Rule 76 (Omitted).
Rule 77 (Omitted).
Rule 78 (Omitted).
Rule 79 takes in an Audit Instruction under F.R. 56.
Note is based on G.I.F.D. No. 3836P., dated the 3rd October 1896 and No. 7455P., dated the 24th December 1907.
Rule 80 redraft F.R. 105 to include some of the Audit Instructions and S.R.'s. 298 and 300.
Rule 81 redrafts S.R.'s. 291 and 292.
Note 5 is based on G.O. No. 478F., dated the 26th February 1949.
Rule 82—S.R. 290.
Rules 83 and 84 redraft S.R.'s. 303, 304 and 305.
Rule 85—S.R. 293.
Rule 86—S.R. 294.
Rule 87 is S.R. 298 with the note.
Rule 88 is substantially S.R. 296.
Rule 89 takes in S.R.'s. 297 and 297A.
Rule 90—S.R. 301.
Rule 91 is S.R. 299 with the delegation included.
Clause (2) is based on B.G.F.D. No. 1376F., dated the 22nd April 1943.
Rule 92 is equivalent to S.R. 301A.
Rule 93 is F.R. 107 with the reference to being on duty and some other redundancies removed.
Note 2 is based on an Audit Instruction under Fundamental Rule 107.
Rule 94 takes the first sentence of F.R. 108. (The second sentence is a conduct rule and is out of place here.)
Rule 95—S.R. 306.
Rule 96 is the Provincial version of F.R. 108A.
Rule 97 takes F.R. 110 (a) and (c) together with the Governor-General's order placed under F.R. 114.
Rule 98—F.R. 111.
Rule 99—F.R. 112.
Rule 100, Sub-rule (1)—F.R. 113 as amplified in Government of Bengal's notification No. 8760F., dated the 12th October 1936.

Sub-rule (2) is a Provincial rule adopted in notification No. 8760F., dated the 12th October 1936.

Rule 101 adapts F.R. 114.

Note is based on an Audit Instruction under Fundamental Rule 114.

Rule 102—F.R. 115 expanded to take in the provision regarding passages contained in notification No. 687F., dated the 5th February 1932.

Rule 103 recasts S.R. 307.

Rule 104 combines F.R. 117 with the appropriate portion of appendix No. 27 to the F.S.R. and notification No. 687F., dated the 5th February 1932.

Rule 105—S.R. 309.

Rule 106—S.R. 311.

Rule 107—F.R. 120.

Rule 108—F.R. 121.

Rule 109 takes in F.R. 122 and S.R. 312.

Rule 110—F.R. 123.

Rule 111—F.R. 124.

Rule 112—F.R. 125.

Rule 113—S.R. 313.

Rule 114—F.R. 126.

Rule 115—S.R. 314.

Rule 116—F.R. 127.

Note 2 is based on B.G.F.D. No. 716F., dated the 18th February 1943.

Rule 117—F.R. 128.

Note 2 is based on an Audit Instruction under Fundamental Rule 128.

Rule 118 adapts F.R. 130.

Rule 119 is introductory, based to some extent on rule 4 of the Passage Rules (1925).

Rule 120 is a general provision regarding free passages.

Rule 121 is, in effect, part of rule 2 of the Passage Rules (1925).

Rule 122 reproduces rule 3 of those rules, and includes the condition made in the Secretary of State's order (3) below F.R. 51.

Rule 123 is based on rules 9 and 10 of the Passage (Subordinate) Rules, 1925.

Rule 124 is substantially F.R. 83B.

Rule 125 follows rule 6 of the Bengal Passage Rules.

Rule 126 is rule 1 *ibid.*

Rule 127 is rule 2 *ibid.*

Rule 128 is rule 3 *ibid.*

Rule 129 is rule 4 *ibid.*

Rule 130 is rule 3A *ibid.*

Rule 131 is rule 5 *ibid.*

Rule 132 takes the relevant portion of regulation (9) of Part I of Appendix II to the Superior Civil Services Rules (at pages 110 and 111).

Rule 133 is rule 7 of the Bengal Passage Rules.

Rule 134 is rule 8 *ibid.*

Rule 135 adapts rule 2 of Appendix No. 15 to the F.S.R.

Rule 136—rule 1 *ibid.*

Rule 137 reproduces rule 3 *ibid.* A small addition has been made to make it clear that the second sentence does not permit an advance on behalf of a family which does not travel.

Rule 138—rule 4 *ibid.*

Rule 139—rule 5 *ibid.*

Rule 140 reproduces rule 8 *ibid.*

- Rule 141 takes in rule 9 *ibid*, a new sub-rule being inserted to provide for the interest mentioned in rule 2 *ibid*.
- Rule 142—rule 10 *ibid*.
- Rule 143—rule 11 *ibid*.
- Rule 144 is a redraft of F.R. 59.
- Rule 145 is F.R. 60 with a small addition.
- Rule 146 adapts F.R. 64.
- Rule 147 takes the bulk of F.R. 65, omitting the concluding “unless.....” clause.
- Rule 148 replaces F.R. 66.
- Rule 149 adapts S.R. 202.
- Rule 150 adapts S.R. 200.
- Rule 151—F.R. 67 with S.R.’s. 203 and 204 as notes.
- Rule 152 takes all that is necessary of F.R. 68 and the Audit Instructions under it.
- Rule 153—S.R. 206.
- Rule 154—S.R. 207.
- Rule 155—S.R. 208.
- Rule 156—F.R. 70, the second sentence being made less laconic and ambiguous.
- Rule 157 takes what is necessary of F.R. 71 together with S.R. 209.
- Rule 158—F.R.’s. 72 and 73. S.R. 210 included as a note to the rule.
- Rule 159 is a redraft taking the sense of S.R.’s. 211 and 212.
- Rule 160 follows rule 2 of the Bengal Revised Leave Rules.
- Rule 161 is the exception to rule 2 *ibid*.
- Rule 162 adapts rule 3 *ibid*, the proviso being taken to the definition of “leave” in rule 5.
- Rule 163 redrafts clauses (i) to (iii) of rule 4 *ibid*. Clause (iv) has been given general application in the Definition Chapter.
- Rules 164 to 174 take rules 7 to 17 *ibid*. Rules 5 and 6 appear elsewhere in these rules
- Rule 175 redrafts rule 18 *ibid*, part of the explanation being taken to the definition of “average pay” in rule 5.
- Rule 176 adapts F.R. 75 (1).
- Rule 177 adapts F.R. 75 (2), the proviso to (a) being omitted.
- Rule 178—F.R. 76.
- Rule 179 adapts the needed portions of F.R. 77.
- Rule 180 adapts S.R. 258.
- Rule 181 adapts F.R. 78.
- Rule 182—F.R. 79.
- Rule 183—F.R. 80.
- Rule 184 adapts F.R. 81.
- Rule 185—F.R. 86 Note 1 reproduces with suitable adaptations item (3) of the Auditor-General’s decision under F.R. 86.
- Rule 186—S.R. 259.
- Rule 187—S.R. 260.
- Rules 188 and 189 are previously existing Provincial rules corresponding to F.R. 8 (b).
- Rule 190 is F.R. 82 (c) with a previously existing Provincial rule added as a proviso.
- Rule 191 comprises F.R. 82 (d) and Audit Instructions, F.R.’s. 81 to 88.
- Rule 192 is substantially F.R. 83.
- Rule 193 adapts F.R. 83A.
- Rule 194 adapts F.R. 84.
- Rule 195 adapts what is required of F.R. 85.
- Rule 196—S.R. 262. The note is note 2 to S.R. 275.

- Rule 197 takes in the provisions of S.R.'s 267 and 268.
- Rule 198 is a definition on the lines of F.R. 101 (5).
- Rule 199—S.R. 269.
- Rule 200 takes in S.R. 269A and its note.
- Rule 200A is based on G.O. No. 2625F., dated the 16th December 1944.
- Rule 201—S.R.'s 270 to 272.
- Rule 202 includes S.R. 273, S.R. 274 and the note thereto and the last sentence (all that is needed) of F.R. 102.
- Rule 203 adapts S.R. 2.
- Rule 204 adapts F.R. 87 to include (a) Audit Instruction 2 (1) and (b) the Provincial additional proviso.
- Note 3 is derived from Government of India decision (2) at page 237 of the F.S.R. (P. and T. compilation, edition 1936).
- Notes 4 and 5 from the notes to S.R.I.
- Note 6 is based on B.G.F.D. No. 613F., dated the 4th February 1943.
- Rule 205 is a redraft of Audit Instruction 2 (2) to F.R. 87.
- Rule 206 adapts F.R. 88 to include Audit Instruction (1).
- Rule 207 is substantially F.R. 91.
- Rule 208 takes what is needed of F.R. 89.
- Rule 209 redrafts F.R. 90.
- Rule 210 is F.R. 92 with Audit Instruction (2) to F.R.'s 89 and 90 included as a proviso.
- Rule 211 adapts F.R. 98.
- Rule 212 adapts F.R. 99.
- Rule 213 is only referentials: it is based on a Bombay rule.
- Rule 214 adapts F.R. 100A.
- Rule 215—S.R. 275 and Note 1. (Note 2 has been taken to rule 196.)
- Rule 216 takes in the Exception to S.R. 275.
- Rule 217—S.R. 276.
- Rule 218—the Exception to S.R. 276.
- Rule 219 takes in the Government of India's decision under F.R. 103, as amended by B.G.F.D. No. 175F., dated the 24th January 1944.
- Rule 220 is a redraft of S.R.'s 278 and 279.
- Rule 221 recasts slightly S.R. 284.
- Clause (2) (a) is based on B.G.F.D. No. 1320 Misc., dated the 3rd November 1941.
- Clause 4) is based on B.G.F.D. No. 738 Misc., dated the 24th May 1943.
- Rule 222—the first sentence of S.R. 284.
- Rule 223—S.R. 284A.
- Clause (2) is based on B.G.F.D. No. 1077F., dated the 17th May 1944.
- Rule 224—S.R. 285.
- Rule 225 takes all that is needed of S.R. 285A.
- Rule 226 throws into rule form F.D's. No. 142T.—F., dated the 4th May 1935, as modified by their No. 8371F., dated the 11th December 1935.
- Rule 227—S.R.'s 280 and 281.
- Rule 228 redrafts the note to S.R. 281.
- Rule 229—S.R. 282.
- Rule 230 takes in S.R. 282A with a proviso limiting the concession in the case of persons who if wholetime would be subject to the Revised Leave Rules.
- Rule 231 adapts S.R. 283.
- Rule 232 adapts F.R. 104 and S.R.'s 288 and 290. Note is an adaptation of S.R. 238.
- Rule 233—Note 2 to S.R. 1.
- Rule 233A is based on B.G.F.D. No. 2436F., dated the 15th November 1944.

Rule 234 applies the rules of procedure made under F.R. 74 to leave under these rules.

Rule 235 takes the place of F.R. 45.

Rule 236—F.R. 45A IV (b) (i) and incorporates the decision in Finance Department's No. 2535F. of 12th August 1926.

(ii)—The first paragraph follows the Government decision (i) under rule 21 of B.F.R., Appendix 3, combined with F.R. 45A IV (b) (ii). The proviso is taken from Government decision (ii) under the same rule of B.F.R.

(iii)—a part of F.R. 45A VI read with Government of India S.R. 320.

(iv)—F.R. 45A (VI) and incorporates the Audit Instruction under that clause.

Note.—Reproduces *N.B.* (1) to Government decision (iii) under rule 21 of B.F.R., Appendix 3.

Rule 237 is based on B.F.R. 281 with certain verbal modifications. Clause (f) gives Government's decision on paragraph 398 of the Retrenchment Committee's Report The note is new, but generalises the note to rule 236.

Rule 238—F.R. 45A (IV) (b) (i) and incorporates the decision in Finance Department's No. 2535F. of 12th August 1926. The proviso is F.R. 45A IV (c) (ii) read with Audit Instruction (1) after F.R. 45C.

Rule 239—F.R. 45C.

Rule 240—Fundamental conditions of service constitute the Chapter proper. Detailed conditions and methods of calculation of the all-important factor, standard rent, are relegated to the Schedule.

Rule 241—F.R. 45A VII and S.R. 187A.

The Schedule—

1—F.R. 45A IV (a).

2—Government of India S.R.'s. 312 (3) and (4).

3—B.F.R. 282 and Government of India S.R. 314 slightly amplified.

4—Note 1 to B.F.R. 281 and Government of India S.R. 316.

5—F.R. 45A II first clause and proviso (iv). Some minor decisions of Government regarding the exclusion of certain items from capital cost are incorporated.

6 (1) adapts Government of India S.R. 320 and (2) adapts Government of India S.R. 319.

7—F.R. 45A (II) (a) and (b). The first proviso follows proviso (iii) to F.R. 45A II. The second proviso reproduces the note to F.R. 45A II. "Present value" is not defined in this Schedule.

8—F.R. 45A III (b), and Audit Instruction 2 after F.R. 45C with the note.

9—Government of India S.R. 322 (1).

10—Government of India S.R. 322 (3) with "seven" substituted for "five".

11—Government of India S.R. 323 with "seven" substituted for "five".

12—Government of India S.R. 324 (1).

13—F.R. 45A II proviso (V) (2).

14—F.R. 45A III (a).

(i)—First part of Government of India S.R. 321 (a).

(ii)—Government of India S.R. 321 (b).

(iii)—Second part of Government of India S.R. 321 (a).

16—F.R. 45A III (c) excluding the proviso.

17—F.R. 45A III, note 1.

18—F.R. 45A IV (c) (i).

19—F.R. 45A II proviso (V) (1) and Subsidiary Instruction 5.

20—F.R. 45A II proviso (i) and Government of India S.R. 318 with its scope enlarged to include revaluation, etc.

21—(ii), (iii) and (iv) are taken from Government of India S.R. 322 (2). The definition of "probable cost" is omitted consequent on the omission of the words "probable cost" from rule 14.

22—an adaptation of Government of India S.R. 325 (2).

23—*N.B.* (2) to Government decision (iii) under rule 21 of B.F.R., Appendix 3.

Rule 242—Art. 348-A., C.S.R.

- Rule 243**—An adaptation from Art. 349, C.S.R.
- Rule 244**—Art. 349-A, C.S.R., with the omission of the posts and services which are not under the rule-making control of this Government.
- Rule 245**—Art. 350, C.S.R.
- Rule 246**—Art. 351, C.S.R., with slight modifications to suit local conditions.
- Rule 247**—Art. 351-A, C.S.R.
- Rule 248 and Note**—Art., 352, C.S.R., and Note.
- Rule 249** is Art. 353, C.S.R., with the omission of the second proviso as the latter applied to Secretary of State's Services.
- Rule 250**—Art. 354, C.S.R.
- Rule 251**—Art. 355, C.S.R.
- Rule 252 and Notes**—An adaptation from Art. 356, C.S.R., to suit local requirements with the addition of a N.B. on the line of a ruling in the Companion to C.S.R.
- Rule 253**—Art. 357, C.S.R.
- Rule 254**—Art. 357A, C.S.R.
- Rule 255**—Art. 358, C.S.R., with the omission of the Note which deals with services not under the control of this Government.
- Rule 256**—An adaptation from Art. 359, C.S.R.
- Rule 257**—Art. 360, C.S.R.
- Rule 258**—Art. 361, C.S.R.
- Rule 259**—Art. 361-A, C.S.R., with the omission of the Note which deals with delegation of power to Provincial Governments.
- Rule 260**—Art. 362, C.S.R.
- Rule 261**—Art. 365, C.S.R.
- Rule 262**—Art. 366, C.S.R., with the omission of sub-rule 2 which deals with delegation of power to Provincial Government.
- Rule 263**—Art. 367, C.S.R., slightly modified to suit local conditions.
- Rule 264**—Art. 368, C.S.R.
- Rule 265**—Art. 369, C.S.R.
- Rule 266**—Art. 370, C.S.R., with the addition of a Note based on para. 647 of the Companion to C.S.R.
- Rule 267**—Art. 371, C.S.R., with the addition of a Note on the lines of one inserted under para. 654 of the Companion to C.S.R.
- Rule 268**—Art. 372 with the omission of reference to posts which are not under this Government.
- Rule 269**—Art. 373, C.S.R., the note is based on G.I.F.D. No. 1620, dated the 31st March, 1868, and Auditor-General's No. 316-A/153-39, dated the 27th June, 1939.
- Rule 270**—Art. 375, C.S.R.
- Rule 271**—Art. 376, C.S.R., Notes (1), (2) and (3) are based respectively on paras. 659, 661 and 662 of the Companion to C.S.R.
- Rule 272**—Art. 377, C.S.R.
- Rule 273**—Art. 378, C.S.R.
- Rule 274**—Art. 379, C.S.R.
- Rule 275**—Art. 380, C.S.R. The Note is based on para. 663 of the Companion to C.S.R.
- Rule 276**—Art. 381, C.S.R., with the omission of portions not relevant to East Bengal. The Note is based on para. 665 of the Companion to C.S.R.
- Rule 277**—Art. 382, C.S.R.
- Rule 278**—Art. 383, C.S.R.
- Rule 279**—Art. 385, C.S.R.
- Rule 280**—Art. 386, C.S.R.
- Rule 281**—Art. 390, C.S.R.
- Rule 282**—Art. 391, C.S.R.

- Rule 283—Art. 392, C.S.R.
 Rule 284—Art. 393, C.S.R.
 Rule 285—Art. 395, C.S.R.
 Rule 286—Art. 396, C.S.R. Note 2 is a new one based on para. 668 of the Companion to C.S.R.
 Rule 287—Art. 398, C.S.R.
 Rule 288—Art. 399, C.S.R.
 Rule 289—Art. 400, C.S.R.
 Rule 290—Art. 402, C.S.R.
 Rule 291—Art. 404-A., C.S.R., with the omission of posts and services which are not under the rule-making control of this Government.
 Rule 292—Art. 407, C.S.R., Notes 1 and 2 are based on paras. 698, and 700-A. of the Companion to C.S.R. and Audit Instruction under this Article.
 Rule 293—Art. 408, C.S.R., with suitable adaptation. Note 4 is based on para. 700 of the Companion to C.S.R.
 Rule 294—Art. 409, C.S.R., with slight modification to suit local conditions.
 Rule 295—Art. 412, C.S.R.
 Rule 296—Art. 413, C.S.R.
 Rule 297—Art. 414, C.S.R.
 Rule 298—Art. 416, C.S.R.
 Rule 299—Art. 417, C.S.R.
 Rule 300—Art. 418, C.S.R.
 Rule 301—Art. 419, C.S.R.
 Rule 302—Art. 420, C.S.R.
 Rule 303—Art. 421, C.S.R.
 Rule 304—Art. 422, C.S.R.
 Rule 305—Art. 423, C.S.R.
 Rule 306—Art. 424, C.S.R.
 Rule 307—(Omitted).
 Rule 308—Art. 426, C.S.R.
 Rule 309—Art. 428, C.S.R.
 Rule 310—Art. 429, C.S.R. The Note is based on para. 713 of the Companion to C.S.R. and the N.B. on [a ruling] of the Auditor-General, dated the 12th June 1935.
 Rule 311—Art. 430, C.S.R.
 Rule 312—Art. 431, C.S.R.
 Rule 313—Art. 432, C.S.R.
 Rule 314—Art. 433, C.S.R.
 Rule 315—Art. 434, C.S.R.
 Rule 316—Art. 435, C.S.R.
 Rule 317—Art. 436, C.S.R. The example is obtained from para. 714 of the Companion to C.S.R. Notes 1, 2, 3 and 4 are based on paras. 715, 716, 717 and 718 of the Companion to C.S.R.
 Rule 318—Art. 436-A., C.S.R.
 Rule 319—Art. 438, C.S.R.
 Rule 320—Art. 440, C.S.R.
 Rule 321—Art. 441, C.S.R.
 Rule 322—Art. 442, C.S.R.
 Rule 323—Art. 443, C.S.R.
 Rule 324—Art. 444, C.S.R.
 Rule 325—Art. 445, C.S.R.

- Rule 326—Art. 446, C.S.R.
 Rule 327—Art. 447, C.S.R.
 Rule 328—Art. 447-A., C.S.R.
 Rule 329—Art. 449, C.S.R.
 Rule 330—Art. 450, C.S.R.
 Rule 331—Art. 451, C.S.R.
 Rule 332—Art. 452, C.S.R.
 Rule 333—Art. 454, C.S.R.
 Rule 334—Art. 455, C.S.R.
 Rule 335—Art. 456, C.S.R.
 Rule 336—Art., 457, C.S.R. The Note is based on para. 725 of the Companion to C.S.R.
 Rule 337—Art. 458, C.S.R.
 Rule 338—Art. 460, C.S.R.
 Rule 339—Art. 463, C.S.R.
 Rule 340—Art. 464, C.S.R.
 Rule 341—Art. 465, C.S.R.
 Rule 342—Art. 465A., C.S.R., suitably adapted.
 Rule 343—Art. 465B., C.S.R., which was promulgated with B.G.F.D. Notification No. 780F., dated the 31st March, 1941.
 Rule 344—Art. 467, C.S.R. The Note is based on para. 736 of the Companion to C.S.R.
 Rule 345—Art. 468, C.S.R.
 Rule 346—Art. 468-A., C.S.R.
 Rule 347—Art. 469, C.S.R.
 Rule 348—Art. 470, C.S.R.
 Rule 349—Art. 471, C.S.R.
 Rule 350—Art. 472, C.S.R.
 Rule 351—Art. 474, C.S.R. Clause (c) is based on B.G.F.D. Notification No. 780F dated the 31st March, 1941.
 Rule 352—Art. 474-A., C.S.R., with the omission of services and posts which are not under the rule-making control of this Government. The restriction in the last sentence was introduced with B.G.F.D. Notification No. 780F., dated the 31st March, 1941.
 Rule 353—Art. 475, C.S.R., with suitable adaptation. The Note explains "effective service" as it appears in the following rule:
 Rule 354—Art. 475-A., C.S.R. with the schedule modified to meet local requirements.
 Rule 355—Art. 475-B., C.S.R.
 Rule 356—361 (omitted).
 Rule 362—Art. 488, C.S.R., with suitable adaptation.
 Rule 363—Art. 489, C.S.R., with omission of portion not relevant.
 Rule 364—Art. 490, C.S.R., with omission of reference to "deputation" with its old meaning.
 Rule 365—Art. 491, C.S.R.
 Rule 366—Art. 492, C.S.R.
 Rule 367—Art. 493, C.S.R.
 Rule 368.
 Rule 369.
 Rule 370.
 Rule 371.
 Rule 372.
 Rule 373.

Rule 374.

Rule 375.

Rule 376.

Rule 377.

Rule 378.

Rule 379.

Rule 380—Art. 509-A, C.S.R.

Rule 381—Art. 510, C.S.R.

Rule 382—Art. 510-A, C.S.R.

Rule 383—Art. 510-B., C.S.R.

Rule 384—Art. 511, C.S.R.

Rule 385—Art. 512, C.S.R.

Rule 386—Art. 514, C.S.R.

Rule 387—Art. 515, C.S.R.

Rule 388—Art. 516, C.S.R.

Rule 389—Art. 519, C.S.R.

Rule 390—Art. 520, C.S.R., with omission of appointments which are not under the rule-making control of this Government and portion dealing with delegation of power to Local Government.

Rule 391—Art. 521, C.S.R.

Rule 392—Art. 522, C.S.R.

Rule 393—Art. 523, C.S.R.

Rule 394—Art. 524-B., C.S.R.

Rule 395—Art. 524-C., C.S.R.

Rule 396—Art. 525, C.S.R.

Rule 397—Art. 526, C.S.R.

Rule 398—Art. 528-B, C.S.R.

Rule 399—Art. 529, C.S.R.

Rule 400—Art. 530, C.S.R.

Rule 401—Art. 531, C.S.R.

Rule 402—Art. 531-A, C.S.R.

Rule 403—Art. 728, C.S.R.

Rule 404—Art. 729, C.S.R.

Rule 405—Art. 730, C.S.R.

Rule 406—Art. 731, C.S.R.

Rule 407—Art. 732, C.S.R.

Rule 408—Art. 736, C.S.R.

Rule 409—Art. 737, C.S.R.

Rule 410—Art. 738, C.S.R.

Rule 411—Art. 739, C.S.R.

Rule 412—Art. 740, C.S.R.

Rule 413—Art. 740-A., C.S.R.

Rule 414—Art. 741, C.S.R.

Rule 415—Art. 741-A, C.S.R.

Rule 416—Art. 741-B, C.S.R.

Rule 417—Art. 742, C.S.R.

Rule 418—Art. 743, C.S.R.

Rule 419—Art. 744, C.S.R.

Rule 420—Art. 745, C.S.R.

Rule 421—Art. 746, C.S.R.

Rule 422—Art. 746-A, C.S.R.

Rule 423—746-B, C.S.R., with an addition to the Note on the basis of para. 877C. of the Companion to C.S.R.

Rule 424—Art. 746-BB., C.S.R.

Rule 425—Art. 746-C, C.S.R.

Rule 426—Art. 746-D, C.S.R., with omission of portion suggesting reference to the Secretary of State with the recommendation of Government of India.

Rule 427—Art. 746-E., C.S.R.

Rule 428—Art. 747, C.S.R., with omission of Notes 1 and 3 which authorises delegation of power by Local Government.

Rule 429—Art. 905, C.S.R., with adaptation.

Rule 430—Art. 906, C.S.R.

Rule 431—Art. 907, C.S.R.

Rule 432—Art. 908, C.S.R.

Rule 433—Art. 909, C.S.R.

Rule 434—Art. 910, C.S.R.

Rule 435—Art. 911, C.S.R.

Rule 436—Art. 912, C.S.R.

Rule 437—Art. 913, C.S.R.

Rule 438—Art. 914, C.S.R.

Rule 439—Art. 915, C.S.R., with Note 2 slightly amended to make it self-contained.

Rule 440—Art. 916, C.S.R.

Rule 441—Art. 917, C.S.R.

Rule 442—Art. 918, C.S.R.

Rule 443—Art. 919, C.S.R.

Rule 444—Art. 920, C.S.R.

Rule 445—Art. 922, C.S.R.

Rule 446—Art. 923, C.S.R.

Rule 447—Art. 924, C.S.R.

Rule 448—Art. 925, C.S.R.

Rule 449—Art. 926, C.S.R.

Rule 450—Art. 930, C.S.R.

Rule 451—Art. 931, C.S.R.

Rule 452—Art. 932, C.S.R.

Rule 453—Art. 933, S.C.R.

Rule 454—Art. 933-A., C.S.R., with suitable adaptation.

Rule 455—Art. 934, C.S.R.

Rule 456—Art. 934-A., C.S.R.

Rule 457—Art. 934-B., C.S.R.

Rule 458—Art. 934-C., C.S.R.

Rule 459—Art. 934-D, C.S.R.

Rule 460—Art. 935, C.S.R.

Rule 461—Art. 936, C.S.R.

Rule 462—Art. 937, C.S.R.

Rule 463—Art. 938, C.S.R.

Rule 464—Art. 939, C.S.R.

Rule 465—Art. 940, C.S.R.

Rule 466—Art. 941, C.S.R.

Rule 467—Art. 942, C.S.R.

- Rule 468—Art. 943, C.S.R. with the omission of the Note (under sub-rule 3) in which certain power is delegated to Local Government.
- Rule 469—Art. 944, C.S.R., with the omission of the Note which is not relevant.
- Rule 470—Art. 945, C.S.R., with the omission of the Note in which some powers have been delegated to Local Government.
- Rule 471—Art. 946, C.S.R.
- Rule 472—Art. 947, C.S.R.
- Rule 473—Art. 948, C.S.R.
- Rule 474—Art. 949, C.S.R.
- Rule 475—Art. 950, C.S.R., with the omission of the last sentence dealing with delegation of power to Local Government. The Note contains powers to Commissioners delegated by this Government (para. 1073 of the Companion to C.S.R.)
- Rule 476—Art. 951, C.S.R.
- Rule 477—Art. 952, C.S.R.
- Rule 478—Art. 953, C.S.R.
- Rule 479—Art. 954, C.S.R.
- Rule 480—Art. 955, C.S.R.
- Rule 481—Art. 956, C.S.R.
- Rule 482—Art. 957, C.S.R. with the replacement of the Note by one to certain delegation of power sanctioned by this Government (para. 1078-A of the Companion to C.S.R.).
- Rule 483—Art. 958, C.S.R.
- Rule 484—Art. 959, C.S.R., with the amendment of the Note on the basis of para 1079-A. of the Companion to C.S.R.
- Rule 485—Art. 960, C.S.R.
- Rule 486—Art. 961, C.S.R.
- Rule 487—Art. 962, C.S.R.
- Rule 488—Art. 963, C.S.R.
- Rule 489—Art. 964, C.S.R.
- Rule 490—Art. 965, C.S.R.
- Rule 491—Art. 966, C.S.R.
- Rule 492—Art. 967, C.S.R.
- Rule 493—Art. 970, C.S.R.
- Rule 494—Art. 972, C.S.R.
- Rule 495—Art. 973, C.S.R.
- Rule 496—Art. 974, C.S.R.
- Rule 497—Art. 977, C.S.R.
- Rule 498—Art. 978, C.S.R.
- Rule 499—Art. 981, C.S.R.
- Rule 500—Art. 982, C.S.R.
- Rule 501—Art. 983, C.S.R., with adaptation.
- Rule 502—Art. 984, C.S.R., with adaptation.
- Rule 503—Art. 985, C.S.R., with adaptation.
- Rule 504—Art. 986, C.S.R., with adaptation.
- Rule 505—Art. 987, C.S.R.

Appendix No.	1	..	..	..	List at the beginning of the Delegation Chapter, page 382.
Do.	2	..	..	..	(Omitted)
Do.	3	..	..	..	Item 72 of the Delegation Chapter. Serial Nos. 14, 15, 16, & 17 are based on B.G. F.D. No. 1254F. of 28-5-1941, No. 1327F. of 23-6-1944, and No. 7700F. of 12-10-1950.

Appendix No. 4	..	..	..	Item 71 of the Delegation Chapter and the annexure to the said Chapter.
Do.	5	..	..	Appendix No. 20(I).
Do.	5A	..	..	Appendix No. 20(II). (Judl. Dept. notification No. 2565J, dated the 20-7-1939).
Do.	6	..	..	Secretary of State's order No. (1) under F.R. 91.
Do.	7	..	..	Rule below F.R. 103 and also Appendix No. 10 of the Posts and Telegraphs Compilation of the Fundamental and Subsidiary Rules.

Appendix No. 8—

- (1)—S.R. 201.
- (2) (a)—S.R. 213 (1) (Part).
- (2) (b)—S.R. 213 (2).
- (2) (c) is based on B.G.F.D. No. 370F., dated the 18th February, 1944.
- (3) (a)—S.R. 214(a).
- (3) (b)—S.R. 214(b).
- (3) (c)—Rule 19 of the Revised Leave Rules.
- (4)—S.R. 215.
- (5)—Audit Instruction under F.R. 76.
- (6)—Secretary of State's order under F.R. 76.
- (7)—S.R. 219.
- (8)—S.R. 220.
- (9)—S.R. 221.
- (10)—S.R. 222.
- (11)—S.R. 223.
- (12)—S.R. 224.
- (13)—S.R. 225.
- (14)—S.R. 226.
- (15)—S.R. 227.
- (16)—S.R. 228.
- (17)—S.R. 229.
- (18)—S.R. 229A.
- (19)—Prescribes the form of medical certificate required under rule 157 and also takes in the Government of India's order under F.R. 71.
- (20)—The last paragraph of paragraph 1 of the Government of India's order under F.R. 71.
- (21)—S.R. 230.
- (22)—S.R. 231.
- (23)—S.R. 232.
- (24)—S.R. 233.
- (25)—S.R. 234.
- (26)—S.R. 235.
- (27)—S.R. 236.
- (28)—S.R. 237.
- (29)—S.R. 237A.
- (30)—S.R. 239.
- (31)—S.R. 240.
- (32)—S.R. 241 so far as relevant.

- (33)—S.R. 242.
- (34)—S.R. 243.
- (35)—Omitted.
- (36)—S.R. 244.
- (37)—S.R. 245.
- (38)—S.R. 246.
- (39)—S.R. 247.
- (40)—S.R. 248.
- (41)—S.R. 249.
- (42)—S.R. 250.
- (43)—S.R. 251.
- (44)—S.R. 252.
- (45)—S.R. 253.
- (46)—S.R. 254.
- (47)—S.R. 255.
- (48)—S.R. 256.
- (49)—S.R. 257.

Appendix No. 9—Model forms of agreement for officers appointed on contract obtained from Appendix No. 27 to the Fundamental Rules and Supplementary Rules made and compiled by the Government of Pakistan.

Appendix No. 10—Is a recast of Appendix No. 7-A to the C.S.R. The list has been brought up-to-date on the lines of F.R. Appendix No. 9, to the Bengal Financial Rules, etc.

Appendix No 13—No. explanation necessary.

Appendix No. 14—No explanation necessary.

APPENDIX 12

Concordance explanatory of the treatment accorded in the East Pakistan Service Rules, I to the Fundamental and Subsidiary Rules as modified up to 1st November 1940 and the Articles of the Civil Service Regulations relating to pensions corrected up to 1-3-1946.

Fundamental and Subsidiary Rules.

Corresponding or analogous Rules of the East Pakistan Service Rules.

Chapter I.—Extent of Application.

F. R. 1	..	..	..	Rule 1.
F. R. 2(1)	..	..	..	Rule 2.
(2)	..	..	..	Omitted.
Declaration of Speaker in Council	..	..	..	Omitted.
S. R. 1—(Cancelled).				
Note 1 to S. R. 1	..	..	..	Note 4 to Rule 204.
Note 2 to S. R. 1	..	..	..	Note 5 to Rule 204 and Rule 233.
S. R. 2	..	..	..	Rule 203.
F. R. 3	..	..	..	Omitted.
F. R. 4.	..	..	..	Omitted.
F. R. 5	..	..	..	Omitted.
F. R. 5A	..	..	..	Note 2 to Rule 4.
F. R. 6	..	..	..	Omitted.
F. R. 7	..	..	..	Note 1 to Rule 4.
F. R. 8	..	..	..	Rule 4.

Chapter II.—Definitions.

F. R. 9(1)	..	..	..	Omitted.
(2)	..	..	..	Rule 5(5).
Proviso (a)	..	..	..	Rule 5(5)(a).
Proviso (b)	..	..	..	Omitted.
Proviso (c)	..	..	..	Omitted.
Note	..	..	..	Omitted.
Audit Instruction (1)	..	..	..	Omitted.
Audit Instruction (2)	..	..	..	Note 1 to Rule 5(5).
Audit Instruction (3)	..	..	..	Note 3 to Rule 5(5).
Note 1	..	..	..	Rule 5 (5) (c).
Note 2	..	..	..	Note 2 to Rule 5 (5)

Fundamental and Subsidiary Rules.	..	..	..	Corresponding or analogous Rule of the East Pakistan Service Rules.
F. R. 9(3)	..	..	..	Omitted.
(4)	..	..	..	Rule 5(7).
(5)	..	..	..	Rule 5 (13).
S. R. 3	..	..	..	Omitted.
F. R. 9(6) (a) (i)	..	..	..	Rule 5 (17) (a).
(6) (a) (ii)	..	..	..	Rule 5 (17) (b).
(6) (b)	..	..	..	Omitted.
S. R. 4 (1) and Note	..	..	..	Rule 5 (17) (d) and Note.
(2) to (9)	..	..	..	Rule 5 (17) (e) to (i).
F. R. 9 (6A)	..	..	..	Rule 5 (24).
(7)	..	..	..	Rule 5 (25).
(8)	..	..	..	Omitted.
(9)	..	..	..	Rule 5 (28).
(10)	..	..	..	Rule 5 (31).
(11)	..	..	..	Rule 5 (32).
(12)	..	..	..	Rule 5 (33)
(13)	..	..	..	Rule 5 (34).
S.R. 5	..	..	..	Rule 18.
F. R. 9 (14)	..	..	..	Rule 5 (35).
(15)	..	..	..	Omitted, but see 5 (26).
(16)	..	..	..	Omitted.
(17)	..	..	..	Omitted.
(18) and Audit Instruction	..	..	..	Rule 5 (37) and Note 1.
(19)	..	..	..	Rule 5 (38).
S.R. 6	..	..	..	Omitted.
F. R. 9(20)	..	..	..	Rule 5 (39).
(21) (a) (i)	..	..	..	Rule 5 (40), <i>vide</i> also 5(6) but "technical pay" is omitted.
(21) (b)	..	..	..	Omitted.
(21)(c)	..	..	..	Omitted.
(22)	..	..	..	Rule 5 (42).
(23)	..	..	..	Rule 5 (43).
(24)	..	..	..	Rule 5 (44).
Audit Instruction	..	..	..	Omitted.
(25)	..	..	..	Rule 5 (48).

Fundamental and Subsidiary Rules.

Corresponding or analogous Rules of the
East Pakistan Service Rules.

Audit Instruction (1)	..	..	Omitted.
Audit Instruction (2)	..	..	Omitted.
(26) (Cancelled)	..	..
(27)	..	..	Rule 5 (50).
(28)	..	..	Rule 5 (51).
(29)	..	..	Omitted.
(30)	..	..	Rule 5(53).
(30-A) and Note	..	..	Rule 5 (54) and Note 1.
(31)	..	..	Rule 5(55).
(32)	..	..	Rule 5 (57).

Chapter III.—General Conditions of Service.

F. R. 10	..	..	..	Rule 10.
S. R. 7	..	..	..	Rule 7.
Note 1 to S. R. 7	..	..	..	Rule 8.
Note 2 to S. R. 7	..	..	..	Note 1 to Rule 7.
S. R. 8	..	..	..	Rule 13.
S. R. 9	..	..	..	Rule 14.
S. R. 10 and Note	..	..	..	Rules 11 and 12.
S. R. 10A	..	..	..	Omitted.
F. R. 11	..	..	..	Rule 15.
F. R. 12	..	..	..	Rule 16.
F. R. 12A	..	..	..	Rule 17.
F. R. 13	..	..	..	Rule 19.
Note	..	..	..	Omitted.
F. R. 14	..	..	..	Rule 20.
F. R. 14A (a)	..	..	..	Rule 21.
(b)	..	..	..	Rule 21.
(c)	..	..	..	Rule 22 [includes also F.R. 92 (2)].
F. R. 14B	..	..	..	Rule 23.
F. R. 15	..	..	..	Rule 24.
F. R. 16	..	..	..	Rule 25.
F. R. 17 (1)	..	..	..	Rule 26.
(2)	..	..	..	Rule 27.

Fundamental and Subsidiary Rules.

Corresponding or analogous Rule of the
East Pakistan Service Rules.

Secretary of State's Ruling ..	..	..	Rule 27 (1) and (3).
Audit Instruction (1) ..	..	..	Note to Rule 26.
Audit Instruction (2) ..	..	..	Omitted.
S. R. 11 ..	..	..	Rule 28.
S. R. 12 ..	..	..	Note to Rule 28.
S. R. 13 and Note 1 ..	..	..	Rule 29.
Note 2 ..	..	..	Note to Rule 29.
S. R. 14 ..	..	..	Rule 30.
S. R. 15 and Exception ..	..	..	Rule 31 and Note 1.
Note 1 ..	..	..	Note 2 to Rule 31.
Note 2 ..	..	..	Rule 32 (with omission of references to Travelling Allowance).
S. R. 16 ..	..	..	Rule 33.
S. R. 17 ..	..	..	Omitted.
F. R. 18 ..	..	..	Rule 34.
<i>Chapter IV.—Pay.</i>			
F. R. 19 (1) ..	..	..	Omitted.
(2) ..	..	..	Omitted.
Audit Instruction ..	..	..	Omitted.
F. R. 20 ..	..	..	Rule 39.
S. R. 18 (a) ..	..	..	Omitted.
(b) ..	..	..	Omitted. To Compensatory Allowance Rules, Bengal.
S. R. 19 ..	..	..	Rule 40.
F. R. 21 ..	..	..	Rule 41.
F. R. 22 (a) ..	..	..	Rule 42 (1).
(b) ..	..	..	Rule 42 (2).
Note 1 ..	..	..	Omitted.
Note 2 ..	..	..	Note 1 to 42 plus the rules issued with Finance Department Notification No. 1702F., dated the 20th July 1939.
Audit Instruction (1) ..	..	..	Incorporated in Rule 42.
Audit Instruction (2) (Correction Slip 254) ..	..	..	Note 2 to Rule 42.
Audit Instruction (3) (Correction Slip 280) ..	..	..	Omitted.
Audit Instruction (4) ..	..	..	Note 3 to Rule 42.

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
Audit Instruction (5)	Note 6 to Rule 42.
Old Audit Instruction (cancelled in Correction Slip No. 274) ..	Note 4 to Rule 42.
Decision of Governor-General in Council	Note 5 to Rule 42.
Audit Instruction (5) (Correction Slip No. 682)	Note 6 to Rule 42.
Government of India's F. R. 22A ..	Rule 43.
F. R. 23	Rule 44.
Audit Instruction (1)	Omitted.
Audit Instruction (2)	Embodied in Rule 44.
F. R. 24 and Government of India's Order ..	Rule 45.
F. R. 25	Rule 46.
Audit Instruction	Omitted.
S. R. 20	Rule 47.
F. R. 26 (a)	Rule 48 (a).
Audit Instruction (1)	Note 1 to Rule 48 (g).
Audit Instruction (2)	Note 2 to Rule 48 (g).
(b)	Rule 48 (b).
Proviso to (b)	Rule 48 (f)
(c)	Rule 48 (c)
(d)	Rule 48 (d)
Proviso to (d)	Rule 48 (f).
(e)	Rule 48 (e).
Audit Instruction (1)	Omitted.
Audit Instruction (2)	Rule 48 (g).
Secretary of State's Decision	Omitted.
F. R. 27 (with S. R. 21)	Rule 49 and Note 1.
Note (Finance Department notification No. 7887F., dated the 14th September 1936)	Rule 51.
S. R. 21	See 49 and Note (F. R. 27).
F. R. 28	Omitted.
F. R. 29	Rules 52 and 53 (Finance Department notification No. 786T—F., dated the 15th June 1928).
F. R. 30	Rule 54 (reference to "Schedule" omitted).
Schedule	Omitted.

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
F. R. 31 .. ..	.. Rule 55.
Audit Instruction (1) .. ..	.. Omitted.
Audit Instruction (2) .. ..	.. Omitted.
Audit Instruction (3) .. ..	.. Omitted.
Government of India's Order .. ..	.. Note to Rule 55.
F. R. 31A .. ..	.. Rule 56.
F. R. 32 (Cancelled).	
F. R. 33 .. ..	.. Rule 57.
Audit Instruction .. ..	.. Omitted.
F. R. 34 .. ..	.. Omitted.
F. R. 35 .. ..	.. Omitted.
Audit Instruction (1) .. ..	.. Omitted.
Audit Instruction (2) .. ..	.. Note 1 to Rule 58.
F. R. 36 .. ..	.. Omitted. But see Rule 59.
F. R. 37 .. ..	.. Rule 60.
F. R. 38 .. ..	.. Omitted.
Government of India's Decision	Omitted.
F. R. 39 and 40 .. ..	.. Omitted.
F. R. 41 (Cancelled).	
F. R. 42 } .. ..	.. Rule 71
F. R. 43 } .. ..	.. Rule 71
Audit Instruction .. ..	.. Omitted.
Secretary of State's Rules .. ..	.. No. (1). Omitted; No. (2) incorporated in Rule 27.
S. R. 22 .. ..	.. Incorporated in Rule 71.

Chapter V.—Additions to Pay.

F. R. 44	}	..	.. (To be separately treated in the Companion Volume—"Compensatory Allowances Rules, Bengal".)
S. R.'s 23—187		..	
F. R. 45 .. ..		..	.. Rule 235.
F. R. 45A—I and VII	}	..	.. Rule 241.
S. R. 187A.		..	.. The Schedule. Rule 5.
II first clause		..	.. The Schedule. Rule 7.
(a) and (b)		..	.. The Schedule. Rule 7.
Note	..	..	.. The Schedule. Rule 7.

Fundamental and Subsidiary Rules.

Corresponding or analogous Rule of the East Pakistan Service Rules.

Proviso (f) and Government of India S.R. 318	..	..	..	..	The Schedule. Rule 20. 2nd proviso.
Proviso (ff) and Government of India S.R. 319	..	..	..	..	The Schedule. Rule 6(2).
Proviso (fff)	..	..	..	..	The Schedule. Rule 7, 1st proviso.
Proviso (fv)	..	..	..	..	The Schedule. Rule 5.
Proviso (v)(1)	..	..	..	..	The Schedule. Rule 19.
Proviso (v)(2)	..	..	..	..	The Schedule. Rule 13.
Proviso (vf) and Government of India S.R. 320	..	..	..	..	The Schedule. Rule 6(1).
III (a)	..	..	..	..	The Schedule. Rule 14.
(b)	..	..	..	..	The Schedule. Rule 8.
Government of India S.R. 322(1)	..	..	..	..	The Schedule. Rule 9.
(c)	..	..	..	..	The Schedule. Rule 16.
Proviso	..	..	..	..	Omitted.
Note 1	..	..	..	..	The Schedule. Rule 17.
Note 2	..	..	..	..	Omitted.
IV (a)	..	..	..	..	The Schedule. Rule 1.
(b)(i)	..	..	..	..	Rule 238.
(b)(ii)	..	..	..	..	Rule 236(ff).
(c)(i)	..	..	..	..	The Schedule. Rule 18.
(c)(ii)	..	..	..	..	Rule 238, proviso.
V	..	..	..	..	Rule 237.
VI	..	..	..	..	Rule 236(fff) and (iv).
Government of India S.R. 325(2)	..	..	..	..	The Schedule. Rule 22.
VII and F.R. 45B	..	..	..	..	These rules contain no provisions corresponding to those of Rule 45B.
F.R. 45C	..	..	..	..	Rule 5(2f).
Government of India S.R. 322(2)	..	..	..	..	The Schedule. Rule 21(ff), (fff) and (iv).
F.R. 46(a)	..	..	..	..	Rule 62(a).
Note	..	..	..	..	Note 3 to Rule 62.
(b)	..	..	..	..	Rules 62(b) and 63(ff).
(c)	..	..	..	..	Rule 63(iv).
F.R. 46A	..	..	..	..	Omitted.
F.R. 47	..	..	..	..	Omitted.

Fundamental and Subsidiary Rules.

Corresponding or analogous Rule of the East Pakistan Service Rules.

S.R. 189 (Correction Slip No. 351)	..	..	..	..	Rule 63(i).
S.R. 190	..	..	..	..	Rule 63(ii) and (iii).
S.R. 191	..	..	..	..	Note 1 to Rule 62.
Note	..	..	..	..	Note 2 to Rule 62.
S.R. 192—(Cancelled).					
S.R. 193	..	..	..	..	Rule 62 (a) (ii).
S.R. 194	..	..	..	..	Rule 64.
S.R. 195	..	..	..	..	} Omitted, as being, properly speaking, rules of conduct.
S.R. 196	..	..	..	..
F.R. 48	..	..	..	..
F.R. 48A	..	..	..	..
F.R. 48B	..	..	..	..

Chapter VI.—Combination of Appointments.

F.R. 49	..	..	..	..	Rule 65.
Audit Instruction (1)	..	..	..	..	Omitted.
Audit Instruction (2)	..	..	..	..	Note 1 to Rule 65.

Chapter VII.—Deputation out of India.

F.R. 50	..	..	..	..	Rule 66.
Audit Instruction (1)	..	..	..	..	Rule 67.
Audit Instruction (2)	..	..	..	..	Omitted.
F.R. 51(1)(A)	..	..	..	..	Rule 68(a)(i).
(B)	..	..	..	..	Rule 68(a)(ii).
(C)	..	..	..	..	Rule 68(b).
Proviso (a)	..	..	..	..	Omitted.
Proviso (b)	..	..	..	..	Proviso to Rule 68(a).
(2)	..	..	..	..	Note 2 to Rule 68.
(3)	..	..	..	..	Omitted.
Secretary of State's Orders	(1)	..	..	..	Omitted.
No.	(2)	..	..	..	Note 1 to Rule 68.
	(3)	..	..	..	Omitted.
		..	..	..	Rule 69.
		..	..	..	Omitted.
		..	..	..	Rule 69 (2).

Fundamental and Subsidiary Rules.

Corresponding or analogous Rule of the
East Pakistan Service Rules.

Audit Instruction under (old) F.R. 51(a)	..	..	..	..	Note 3 to Rule 68.
F.R. 51A	..	..	..	..	Omitted.
<i>Chapter VIII.—Dismissal, Removal and Suspension.</i>					
F.R. 52	..	..	..	..	Rule 70.
F.R. 53(a)	..	..	..	..	Omitted.
(b) and audit note	..	..	..	..	Rule 71 (Provincial adaptation made in notification No. 5820F., dated the 10th August 1935, of F.R.'s 42, 43 and 53 and the Audit Instruction under F.R.'s 43 and 53)
F.R. 54	..	..	..	..	Rule 72.
Government of India's Instruction	..	..	..	..	Note 2 to Rule 72.
<i>S.R. 197 (Cancelled).</i>					
S.R. 198	..	..	..	..	Note 1 to Rule 72.
S.R. 199	..	..	..	..	Rule 73.
F.R. 55	..	..	..	..	Rule 74.
<i>Chapter IX.—Compulsory Retirement.</i>					
F.R. 56(a)	..	..	..	..	Omitted.
(b)	..	..	..	..	Omitted.
Audit Instruction (1)	..	..	..	..	Omitted.
Audit Instruction (2)	..	..	..	..	Omitted.
<i>(c)—</i>					
(f)	..	..	..	..	Omitted.
(g)	..	..	..	..	Omitted.
(h)	..	..	..	..	Omitted.
(i) and Note	..	..	..	..	Omitted.
(v)	..	..	..	..	} Omitted.
(vi)	..	..	..	..
(vii)	..	..	..	..
(viii)	..	..	..	..
Note 1	..	..	..	..
Note 2	..	..	..	..
Note 3	..	..	..	..
Audit Instruction (1)	..	..	..	..
Audit Instruction (2)	..	..	..	..

Fundamental and Subsidiary Rules.

Corresponding or analogous Rule of the
East Pakistan Service Rules.

Audit Instruction (3) ..	..	..	..	..	Rule 79.
F.R. 57 (Cancelled).					
<i>Chapter X.—Leave.</i>					
F.R. 58 .. ..	..	..	..	..	Omitted.
F.R. 59 .. ..	..	..	..	..	Rule 144.
F.R. 60 .. ..	..	..	..	..	Rule 145.
F.R.'s 61, 62 and 63 ..	..	..	..	..	Rule 213.
F.R. 64 .. ..	..	..	..	..	Rule 146.
F.R. 65 .. ..	..	..	..	..	Rule 147.
F.R. 66 .. ..	..	..	..	..	Rule 148.
S.R. 200 .. ..	..	..	..	..	Rule 150.
S.R. 201 .. ..	..	..	..	..	Rule (1) in Appendix 8 under Rule 234.
S.R. 202 .. ..	..	..	..	..	Rule 149.
F.R. 67 .. ..	..	..	..	..	Rule 151.
S.R. 203 .. ..	..	..	..	..	Notes 1 and 2 to Rule 151.
Notes to S.R. 203 ..	..	..	..	..	Omitted.
S.R. 204 .. ..	..	..	..	..	Note 3 to Rule 151.
F.R. 68 .. ..	..	..	..	..	Rule 152.
Audit Instructions ..	..	..	..	..	Notes 1 and 2 to Rule 152.
S.R. 205 .. ..	..	..	..	..	Omitted.
S.R. 206 .. ..	..	..	..	..	Rule 153.
S.R. 207 .. ..	..	..	..	..	Rule 154.
S.R. 208 .. ..	..	..	..	..	Rule 155.
F.R. 69 .. ..	..	..	..	..	Omitted. (A rule of conduct).
F.R. 70 .. ..	..	..	..	..	Rule 156.
Government of India's Orders ..	..	..	..	..	Note 1 to Rule 156.
Audit Instruction under clause (a)(iii) ..	..	..	..	..	Note 2 to Rule 156.
F.R. 71 .. ..	..	..	..	..	Rule 157.
S.R. 209 .. ..	..	..	..	..	Rule 157.
Forms of Certificate ..	..	..	..	..	Appendix 8(19).
Government of India's Order ..	..	..	..	..	Ditto.
F.R. 72 .. ..	..	..	..	..	Rule 158(a).
S.R. 210 .. ..	..	..	..	..	Note 1 to Rule 158.

Fundamental and Subsidiary Rules.				Corresponding or analogous Rule of the East Pakistan Service Rules.
F.R. 73	..	..	..	.. Rule 158(b).
<i>S.R. 211</i>	..	..	..	.. Rule 159.
<i>S.R. 212</i>	..	..	..	.. Rule 159.
F.R. 74	..	..	..	.. Rule 234 and Appendix No. 8.
<i>S.R. 213</i>	..	..	..	.. Appendix 8, Rule (2).
<i>S.R. 214</i>	..	..	..	.. Appendix 8, Rule (3).
<i>S.R. 215</i>	..	..	..	.. Appendix 8, Rule (4).
<i>S.R.'s 216 and 217</i>	..	..	..	.. Omitted.
<i>S.R. 218</i>	..	..	..	.. Omitted.
<i>S.R. 219</i>	..	..	..	.. Appendix 8, Rule (7).
<i>S.R. 220</i>	..	..	..	.. Appendix 8, Rule (8).
<i>S.R. 221</i>	..	..	..	.. Appendix 8, Rule (9).
<i>S.R. 222</i>	..	..	..	.. Appendix 8, Rule (10).
<i>S.R. 223</i>	..	..	..	.. Appendix 8, Rule (11).
<i>S.R. 224</i>	..	..	..	.. Appendix 8, Rule (12).
<i>S.R. 225</i>	..	..	..	.. Appendix 8, Rule (13).
<i>S.R. 226</i>	..	..	..	.. Appendix 8, Rule (14).
<i>S.R. 227</i>	..	..	..	.. Appendix 8, Rule (15).
<i>S.R. 228</i>	..	..	..	.. Appendix 8, Rule (16).
<i>S.R. 229</i>	..	..	..	.. Appendix 8, Rule (17).
Note	..	..	..	.. <i>Vide</i> Rule (14) of Appendix No. 8.
<i>S.R. 229A</i>	..	..	..	.. Appendix 8, Rule (18).
<i>S.R. 230</i>	..	..	..	.. Appendix 8, Rule (21).
<i>S.R. 231 and Note</i>	..	..	..	.. Appendix 8, Rule (22) and Note.
<i>S.R. 232</i>	..	..	..	.. Appendix 8, Rule (23).
<i>S.R. 233</i>	..	..	..	.. Appendix 8, Rule (24).
<i>S.R. 234</i>	..	..	..	.. Appendix 8, Rule (25).
<i>S.R. 235</i>	..	..	..	.. Appendix 8, Rule (26).
<i>S.R. 236</i>	..	..	..	.. Appendix 8, Rule (27).
<i>S.R. 237</i>	..	..	..	.. Appendix 8, Rule (28).
<i>S.R. 237A</i>	..	..	..	.. Appendix 8, Rule (29).
<i>S.R. 238</i>	..	..	..	.. Note 1 to Rule 232.
<i>S.R. 239</i>	..	..	..	.. Appendix 8, Rule (30).
<i>S.R. 240</i>	..	..	..	.. Appendix 8, Rule (31).

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
<i>S.R. 241</i> .. .. .	.. Appendix 8, Rule (32).
<i>S.R. 242 (a)</i> .. .. .	.. Appendix 8, Rule (33).
<i>(b)</i> .. .. .	.. Omitted.
<i>S.R. 243</i> .. .. .	.. Appendix 8, Rule (34).
<i>S.R. 244</i> .. .. .	.. Appendix 8, Rule (36).
<i>S.R. 245</i> .. .. .	.. Appendix 8, Rule (37).
<i>S.R. 246</i> .. .. .	.. Appendix 8, Rule (38).
<i>S.R. 247</i> .. .. .	.. Appendix 8, Rule (39).
<i>S.R. 248</i> .. .. .	.. Appendix 8, Rule (40).
<i>S.R. 249</i> .. .. .	.. Appendix 8, Rule (41).
<i>S.R. 250</i> .. .. .	.. Appendix 8, Rule (42).
<i>S.R. 251</i> .. .. .	.. Appendix 8, Rule (43).
<i>S.R. 252</i> .. .. .	.. Appendix 8, Rule (44).
<i>S.R. 253</i> .. .. .	.. Appendix 8, Rule (45).
<i>S.R. 254</i> .. .. .	.. Appendix 8, Rule (46).
<i>S.R. 255</i> .. .. .	.. Appendix 8, Rule (47).
<i>S.R. 256</i> .. .. .	.. Appendix 8, Rule (48).
<i>S.R. 257 (a) and (c)</i> .. .. .	.. Appendix 8, Rule (49).
<i>(b)</i> .. .. .	.. Omitted.
F.R. 75 (1) .. .. .	.. Rule 176.
(2)(a) .. .. .	.. Rule 177.
Proviso .. .. .	.. Rule 36 <i>(b)</i> , (Chapter IV.—Domicile).
Audit Instruction .. .. .	.. Embodied in Rule 177.
<i>(b)</i>	} Rule 177.
<i>(c)</i>	
Provisos	
Audit Instruction (1) .. .. .	.. Note 1 to Rule 177.
Audit Instruction (2) .. .. .	.. (Cancelled).
F.R. 75 A .. .. .	.. Rule 36.
F.R. 75 B .. .. .	.. Omitted.
F.R. 75 C .. .. .	.. Rule 37.
F.R. 76 .. .. .	.. Rule 178.
Secretary of State's Orders	} Note 2 to Rule 234 and Rules (6) and (5) respectively in Appendix No. 8.
Audit Instruction	

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
F.R. 77(a) and (b) .. ..	.. Rule 179 (1) and (2).
Audit Instruction .. ..	.. Note 4 to Rule 179(5).
(c) Note and Audit Instruction	.. Omitted.
(d) .. .. ..	.. Rule 179(3).
Proviso .. ..	.. Rule 179(4).
Audit Instruction .. ..	.. Omitted.
(e) .. .. ..	.. Rule 179(5)
Audit Instruction (1) .. ..	.. Note 1 to Rule 179(5).
Audit Instruction (2) .. ..	.. Note 2 to Rule 179(5).
Audit Instruction (3) .. ..	.. Note 3 to Rule 179(5).
S.R. 258 .. .. ..	.. Rule 180.
F.R. 78 .. .. ..	.. Rule 181.
F.R. 79 .. .. ..	.. Rule 182.
F.R. 80 .. .. ..	.. Rule 183.
F.R. 81 (a) .. .. ..	.. Rule 184(a).
(b) .. .. ..	.. (b).
Audit Instruction (1) .. ..	.. Note 3 to Rule 184.
Audit Instruction (2)(a) .. ..	.. Note 1 to Rule 184.
Audit Instruction (2)(b) .. ..	.. Note 3 to Rule 184.
(c) .. .. ..	.. Rule 184(c).
Government of India's Ruling	.. Note 6 to Rule 184.
(d) .. .. ..	.. Rule 184(d).
Note .. .. ..	.. Note 8 to Rule 184.
(e) .. .. ..	.. Rule 184(e).
Government of India's Ruling	.. Note 7 to Rule 184.
Audit Instruction (1) .. ..	.. Note 5 to Rule 184.
(2) .. ..	.. Omitted.
(3)(a) .. ..	.. Incorporated in 184.
(b) .. ..	.. Note 4 to Rule 184.
(4) .. ..	.. Note 2 to Rule 190. (Vacation Rules).
(5) .. ..	.. Rule 191(2).
(6) .. ..	.. } Incorporated in Rule 184 and Notes.
(7) }
F.R. 81A .. .. ..	.. Omitted.

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
F.R. 82(a) .. .. .	.. Omitted.
<i>S.R.</i> 259 .. .. .	.. Rule 5 (58).
<i>S.R.</i> 260 .. .. .	.. Rule 187.
F.R. 82(b) and Audit Instruction (1) ..	.. <i>Vide</i> Rules 188 and 189 which reproduce corresponding Provincial Rules.
Audit Instruction (2) .. .. .	.. Note 1 to Rule 188.
(c) .. .. .	.. Rule 190 (Proviso being added from Pro- vincial Rules).
Audit Instruction .. .. .	.. Note 1 to Rule 190.
(d) .. .. .	.. Rule 191.
Note .. .. .	.. Rule 191 (3).
Audit Instruction .. .. .	.. Omitted.
F.R. 83 .. .. .	.. Rule 192.
Audit Instructions (1) and (2) ..	.. Note to Rule 192.
F.R. 83A .. .. .	.. Rule 193.
F.R. 83B .. .. .	.. Rule 124. (Chapter XIV.—Passages).
F.R. 84 .. .. .	.. Rule 194.
F.R. 85(a) and (b) .. .. .	.. Rule 195.
Governor-General in Council's Interpreta- tion .. .. .	.. Note 1 to Rule 195.
(c) .. .. .	.. Omitted.
Audit Instruction (1) .. .. .	.. Incorporated in Rule 195.
Audit Instruction (2) .. .. .	.. Omitted.
<i>S.R.</i> 261 and Note .. .. .	.. Note 2 to Rule 195.
<i>S.R.</i> 262 .. .. .	.. Rule 196.
F.R. 86 .. .. .	.. Rule 185.
Audit Instruction .. .. .	.. Note 3 to Rule 185.
Government of India's Ruling (1) ..	.. Note 5 to Rule 185.
Government of India's Ruling (2) ..	.. Note 4 to Rule 185.
Government of India's Decision (1) ..	.. Note 2 to Rule 185.
Government of India's Decision (2) ..	.. Omitted.
F.R. 87 .. .. .	.. Rule 204.
Audit Instruction (1) .. .. .	.. Note 1 to Rule 204.
Audit Instruction (2)(i) .. .. .	.. Incorporated in Rule 204.
Audit Instruction (2)(ii) .. .. .	.. Rule 205.

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
Audit Instruction (3) .. ..	.. Omitted.
Audit Instruction (4) .. ..	.. Omitted.
Audit Instruction (5) .. ..	.. Omitted.
Audit Instruction (6) .. ..	.. Omitted.
Government of India's Decision	.. Note 2 to Rule 204.
F.R. 88 .. ..	.. Rule 206.
Notes 1 and 2 .. ..	.. Omitted.
Audit Instruction (1) .. ..	.. Incorporated in Rule 206.
Audit Instruction (2) .. ..	.. Rule 191(2).
F.R. 89 and Notes .. ..	.. Rule 208 and Notes.
Audit Instruction (1) .. ..	.. <i>Vide</i> Note 3 to Rule 208.
Audit Instruction (2) .. ..	.. <i>Vide</i> Proviso to Rule 210.
F.R. 90 and Note 1 .. ..	.. Rule 209.
Audit Instruction (1) .. ..	.. Omitted.
Audit Instruction (2) .. ..	.. <i>Vide</i> Proviso to Rule 210.
F.R. 91 .. ..	.. Rule 207.
Secretary of State's Order (1) ..	.. <i>Vide</i> Appendix No. 6.
Secretary of State's Order (2) ..	.. <i>Vide</i> Rule 6. (Chapter II.—Definitions).
Government of India's Orders (1)	.. Note 2 to Rule 207.
Government of India's Orders (2)	.. Note 3 to Rule 207.
Government of India's Orders (3)	.. Note 4 to Rule 207.
Audit Instruction .. ..	.. Omitted.
F.R. 92 .. ..	.. Rule 210.
F.R. 93 .. ..	.. Omitted: (to be included in Part II when issued).
F.R. 94	} Omitted.
F.R. 94A	
F.R. 94B	
F.R. 95	
F.R. 96	
F.R. 97 (1) .. ..	.. Omitted.
(2) .. ..	.. Rule 22(2).
(3) .. ..	.. Omitted.
F.R. 98 .. ..	.. Rule 211.

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
F.R. 99 .. ..	.. Rule 212.
F.R. 100 .. ..	.. Rule 213.
F.R. 100A .. ..	.. Rule 214.
F.R. 101 .. ..	.. Rules 197 and 198.
<i>S.R. 267</i> and Note .. ..	.. Rule 197 (a).
<i>S.R. 268</i> .. ..	.. Rule 197 (b).
<i>S.R. 269</i> .. ..	.. Rule 199.
<i>S.R. 269A</i> .. ..	.. Rule 200.
<i>S.R. 270</i> and Note .. ..	.. Rule 201 (3).
<i>S.R. 271</i> .. ..	.. Rule 201 (2)
<i>S.R. 272</i> .. ..	.. Rule 201 (1).
F.R. 102 .. ..	.. Rule 202.
<i>S.R. 273</i> .. ..	.. Rule 202 (1).
<i>S.R. 274</i> .. ..	.. Rule 202 (2).
Note .. ..	.. Rule 202 (3).
F.R. 103 .. ..	.. <i>Vide</i> Rule 226: also Appendix No. 7.
Government of India's Decision .. ..	.. Rule 219.
<i>S.R. 275</i> and Note 1 .. ..	.. Rule 215.
Note 2 .. ..	.. Note 1 to Rule 196.
Exception .. ..	.. Rule 216.
<i>S. R. 276</i> .. ..	.. Rule 217.
Exception .. ..	.. Rule 218.
<i>S.R. 277</i> .. ..	.. Omitted. <i>Vide</i> Rule 180.
<i>S.R.'s 278</i> and <i>279</i> .. ..	.. Rule 220.
<i>S. R.'s 280</i> and <i>281</i> .. ..	.. Rule 227.
Note to <i>S.R. 281</i> .. ..	.. Rule 228.
<i>S.R. 282</i> and <i>282A</i> .. ..	.. Rules 229 and 230.
<i>S.R. 283</i> .. ..	.. Rule 231.
<i>S.R. 284</i> .. ..	.. Rules 221 and 222.
<i>S.R. 284A</i> .. ..	.. Rule 223.
<i>S.R. 285</i> .. ..	.. Rule 224.
<i>S.R. 285A</i> .. ..	.. Rule 225.
F.R. 104 (a) .. ..	.. Rule 232 (1).
(b) .. ..	.. Rule 232 (2).

Fundamental and Subsidiary Rules.

Corresponding or analogous Rules of the East Pakistan Service Rules.

<i>S. R. 287(a)</i>	..	..	..	Rule 5 (46). (Chapter II—Definitions).
(b)	..	..	..	Rule 5 (3).
<i>S. R's. 288 and 289</i>	..	..	..	Rule 232(2).

Chapter XI.—Joining Time.

F. R. 105	..	..	..	Rule 80.
(a), (b) and (c)	..	..	..	Rule 80 (a), (b) and (c).
Audit Instruction (1)	..	..	..	Note 1 to Rule 80.
Audit Instruction (2)	..	..	..	Rule 80 (c).
Audit Instruction (3)	..	..	..	Note 2 to Rule 80.
(d)	..	..	..	Rule 80 (d).
Audit Instruction (1)	..	..	..	Rule 80 (b) (i) and 80 (c).
Audit Instruction (2)	..	..	..	Rule 86.
Audit Instruction (3) (deleted).				
Audit Instruction (4)	..	..	..	Omitted.
Audit Instruction (5) and Note	..	..	..	Omitted.
F. R. 106	..	..	..	Omitted.
<i>S. R. 290</i>	..	..	..	Rule 82 and Note.
<i>S. R. 291 (a)</i>	..	..	..	Rule 81 (b).
<i>S. R. 291 (b)</i>	..	..	..	Rule 81 (c).
<i>S. R. 291 (c)</i>	..	..	..	Note 1 to Rule 81.
<i>S. R. 291 (d)</i>	..	..	..	Note 2 to Rule 81.
<i>S. R. 291 (e)</i>	..	..	..	Note 4 to Rule 81.
<i>S. R. 291 (f)</i>	..	..	..	Note 3 to Rule 81.
Exception	..	..	..	Rule 80.
<i>S. R. 292</i>	..	..	..	Proviso to Rule 81.
<i>S. R. 293</i>	..	..	..	Rule 85.
<i>S. R. 294</i>	..	..	..	Rule 86.
<i>S. R. 295 and Note</i>	..	..	..	Rule 87.
<i>S. R. 296</i>	..	..	..	Rule 88.
<i>S. R. 297</i>	..	..	..	} Rule 89 and Note.
<i>S. R. 297A</i>	..	..	..
<i>S. R. 298</i>	..	..	..	Rule 80.
<i>S. R. 299</i>	..	..	..	Rule 91.

Fundamental and Subsidiary Rules.

Corresponding or analogous Rule of the
East Pakistan Service Rules.

<i>S. R. 300</i> .. .. .	..	..	..	Rule 80 (b) (ii).
<i>S. R. 301</i> .. .. .	..	..	..	Rule 90.
<i>S. R. 301A</i> .. .. .	..	..	..	Rule 92.
<i>S. R. 302</i> .. .. .	..	..	..	Omitted.
<i>S. R. 303</i> .. .. .	..	..	..	Rules 83 and 84.
<i>S. R. 304</i> .. .. .	..	..	..	Rules 83 and 84.
<i>S. R. 305</i> .. .. .	..	..	..	Rule 83.
F. R. 107 .. .. .	..	..	..	Rule 93.
Note 1 .. .. .	..	..	..	Omitted.
Note 2 .. .. .	..	..	..	Note 1 to Rule 93.
Audit Instruction (1) .. .. .	..	..	..	Omitted.
Audit Instruction (2) .. .. .	..	..	..	Omitted.
<i>S. R. 305A</i> .. .. .	..	..	..	Omitted (to be included in Part II when issued).
<i>S. R. 306</i> .. .. .	..	..	..	Rule 95.
F. R. .. .. .	..	..	..	Rule 94.
<i>S. R. 310</i> .. .. .	..	..	..	Rule 90.
F. R. 108A .. .. .	..	..	..	Rule 96.

Chapter XII.—Foreign Service.

F. R. 109 .. .. .	..	..	..	Omitted.
F. R. 110 (a) .. .. .	..	..	..	Rule 97 (1).
(b) .. .. .	..	..	..	Rule 97 (2).
Note .. .. .	..	..	..	Omitted.
Audit Instruction .. .. .	..	..	..	Note 1 to Rule 97.
(c) .. .. .	..	..	..	Rule 97 (3).
F. R. 111 .. .. .	..	..	..	Rule 98.
F. R. 112 .. .. .	..	..	..	Rule 99.
Government of India's Decision .. .. .	..	..	..	Omitted.
F. R. 113 .. .. .	..	..	..	Rule 100.
F. R. 114 .. .. .	..	..	..	Rule 101.
Government of India's Orders (Appendix II, Governor-General in Council's Rules) .. .. .	..	..	..	Note 2 to Rule 97.
F.R. 115 (a) .. .. .	..	..	..	Rule 102 (1) (i).
(b) .. .. .	..	..	..	Rule 102 (1) (ii).

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
(c) .. .. .	.. Rule 102 (2) (i).
(d) .. .. .	.. Rule 102 (3).
Note 1 .. .. .	.. Note 1 to Rule 97.
Note 2 .. .. .	.. Omitted.
F. R. 116 .. .. .	.. Rule 104.
Audit Instruction (1) .. .. .	.. Omitted.
Audit Instruction (2) .. .. .	.. Rule 5(5) (b) and Note 4 to Rule 5 (5).
F.R. 117 (a) (with Appendix 27 and Government of India's Decisions so far as applicable).	Rule 104 and Note 1.
(b) .. .. .	.. Rules 104 and 5 (5) (b).
Audit Instruction .. .. .	.. Note 2 to Rule 104.
F. R. 118 (cancelled).	
F. R. 119 .. .. .	.. Omitted.
S. R. 309 .. .. .	.. Rule 105.
S. R. 310 .. .. .	.. Omitted.
S. R. 311 .. .. .	.. Rule 106.
F. R. 120 .. .. .	.. Rule 107.
F. R. 121 .. .. .	.. Rule 108.
F. R. 122 .. .. .	.. Rule 109.
S. R. 312 .. .. .	.. Note 1 to Rule 109.
F. R. 123 .. .. .	.. Rule 110.
F. R. 124 .. .. .	.. Rule 111.
F. R. 125 .. .. .	.. Rule 112.
S. R. 313 .. .. .	.. Rule 113.
F. R. 126 .. .. .	.. Rule 114.
S. R. 314 .. .. .	.. Rule 115.
F. R. 127 .. .. .	.. Rule 116.
S. R. 315 .. .. .	.. Note 1 to Rule 116.

Chapter XIII.—Service under Local Funds.

F. R. 128 .. .. .	.. Rule 117.
F. R. 129 .. .. .	.. Omitted.
F. R. 130 .. .. .	.. Rule 118.
The Schedule (Domicile) .. .. .	.. Rules 35-37.

Fundamental and Subsidiary Rules.	Corresponding or analogous Rule of the East Pakistan Service Rules.
Appendices 1, 2, 3	{ Omitted. Domicile Rules corresponding to Appendix 3 are in Chapter IV.
Appendices 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 23, 25 and 26.	{ See Part II. Pay provisions in Appendix 25 are in Rule 69.
Appendix 8	Appendix 2.
Appendix 15	Rules 136-143 and the Schedule to Rule 143.
Appendices 18 and 19	<i>Vide</i> Note 1 below Rule 234.
Appendix 20 (I)	Appendix No. 5.
Appendix 20 (II)	Appendix No. 5A.
Appendices 21 and 22	Omitted.
Appendix 24 (omitted from Fundamental and Subsidiary Rules).	
Appendix 27	Relevant portions taken in Chapter XII.— Foreign Service, Rule 104.
Delegation Chapter—	
List of Heads of Departments	Appendix No. 1.
Item 71	Appendix No. 4.
Item 72	Appendix No. 3.
Other items (relevant)	Included in the body of the rules to which they relate— <i>vide</i> Index.
Articles in the Civil Service Regulations.	Corresponding or analogous Rule of the East Pakistan Service Rules.
<i>Chapter XV.—General Rules.</i>	
Art. 348-A, C.S.R.	Rule 242.
Art. 349, C.S.R.	Rule 243 with adaptation.
Art. 349-A, C.S.R.	Rule 244 with the omission of services and posts which are not under the rule-making control of this Government.
Art. 349-B, C.S.R.	<i>Omitted</i> as it relates to Railway Department.
Art. 350, C.S.R.	Rule 245.
Art. 351, C.S.R.	Rule 246 with the omission of Note which is out-dated.
Art. 351-A, C.S.R.	Rule 247.
Art. 352, C.S.R.	Rule 248.
Art. 353, C.S.R.	Rule 249 with the omission of the proviso which applied to Secretary of State's Services.

Articles in the Civil Service Regulations.	..	..	..	Corresponding or analogous Rule of the East Pakistan Service Rules.
Art. 353-A, C.S.R.	..	..	..	<i>Omitted</i> as it deals with the Services under the control of the Secretary of State.
Art. 354, C.S.R.	..	..	..	Rule 250.
Art. 355, C.S.R.	..	..	..	Rule 251.
Art. 356, C.S.R.	..	..	..	Rule 252 with the addition of the "N.B." based on a "Note" under para. 636 (c) of the Companion to C.S.R. and omission of Note 6 as irrelevant.
Art. 357, C. S. R.	..	..	..	Rule 253.
Art. 357-A, C.S.R.	..	..	..	Rule 254.
Art. 357-B, C.S.R.	..	..	..	<i>Omitted</i> as it deals with services which are not under the rule-making control of this Government.
Art. 357-C, C.S.R.	..	..	..	<i>Omitted</i> as applicable to services not under the rule-making control of this Government.

Chapter XVI.—Conditions of qualifying service.

Art. 358, C.S.R.	..	..	..	Rule 255 with the omission of the Note which deals with Secretary of State's Services.
Art. 359, C.S.R.	..	..	..	Rule 256 adapted suitably.
Art. 360, C.S.R.	..	..	..	Rule 257.
Art. 361, C.S.R.	..	..	..	Rule 258.
Art. 361-A, C.S.R.	..	..	..	Rule 259 with the omission of the Note which deals with delegation of power to Local Governments.
Art. 362, C.S.R.	..	..	..	Rule 260.
Art. 363, C.S.R.	..	..	..	<i>Omitted</i> as it relates to posts outside East Pakistan.
Art. 364, C.S.R.	..	..	..	<i>Omitted</i> as it relates to posts outside East Pakistan.
Art. 365, C.S.R.	..	..	..	Rule 261.
Art. 366, C.S.R.	..	..	..	Rule 262 with the omission of sub-rule 2 which deals with delegation of power to the Government of Bombay.
Art. 367, C.S.R.	..	..	..	Rule 263 adapted suitably.
Art. 368, C.S.R.	..	..	..	Rule 264.
Art. 369, C.S.R.	..	..	..	Rule 265.
Art. 370, C.S.R.	..	..	..	Rule 266 with the addition of a Note which is based on para. 647 of the Companion to C.S.R.
Art. 371, C.S.R.	..	..	..	Rule 267 with the addition of a Note based on para. 654 of the Companion to C.S.R.

Articles in the Civil Service Regulations.	Corresponding or analogous Rule of the East Pakistan Service Rules.
Art. 372, C.S.R.	.. Rule 268 adapted suitably.
Art. 373, C.S.R.	.. Rule 269 with the addition of a Note based on an instruction of the Auditor-General.
Art. 374, C.S.R.	.. <i>Omitted</i> as this has been provided for in the rules regulating charge of office, etc.
Art. 375, C.S.R.	.. Rule 270 adapted suitably to conform to the new status of officers appointed on probation. Notes have been omitted as they are out-dated.
Art. 376, C.S.R.	.. Rule 271 with the addition of the Notes based on an order of the Government of India of 1897 and a ruling by the Auditor-General in 1942.
Art. 377, C.S.R.	.. Rule 272.
Art. 378, C.S.R.	.. Rule 273.
Art. 379, C.S.R.	.. Rule 274.
Art. 380, C.S.R.	.. Rule 275 with the addition of a Note based on para. 663 of the Companion to C.S.R.
Art. 381, C.S.R.	.. Rule 276 adapted suitably to omit provisions for posts outside East Pakistan. The Note is based on para. 665 of the Companion to C.S.R.
Art. 382, C.S.R.	.. Rule 277.
Art. 383, C.S.R.	.. Rule 278.
Art. 384, C.S.R.	.. <i>Omitted</i> as the matter is not the concern of this Government.
Art. 385, C.S.R.	.. Rule 279.
Art. 386, C.S.R.	.. Rule 280.
Art. 387-9, C.S.R.	.. <i>Omitted</i> as they deal with offices and establishment not in East Pakistan.
Art. 390, C.S.R.	.. Rule 281.
Art. 391, C.S.R.	.. Rule 282.
Art. 392, C.S.R.	.. Rule 283 with the omission of a service which is not the concern of this Government.
Art. 393, C.S.R.	.. Rule 284.
Art. 394, C.S.R.	.. <i>Omitted</i> as it is inapplicable in East Pakistan.
Art. 395, C.S.R.	.. Rule 285.
Art. 396, C.S.R.	.. Rule 286 adapted suitably. Note 2 is based on para. 668 of the companion to C.S.R.
Art. 397, C.S.R.	.. Already cancelled.
Art. 398, C.S.R.	.. Rule 287.

Articles in the Civil Service Regulations.	..	..	..	Corresponding or analogous Rule of the East Pakistan Service Rules.
Art., 399, C.S.R.	..	..	..	Rule 288.
Art. 400, C.S.R.	..	..	..	Rule 289.
Art. 401, C.S.R.	..	..	..	<i>Omitted</i> as it relates to Postal Department.
Art. 402, C.S.R.	..	..	..	Rule 290 with adaptation.
Arts. 403-404, C.S.R.	..	..	..	Already cancelled.
Art. 404-A, C.S.R.	..	..	..	Rule 291 with adaptations to provide for the requirement of this province.
Arts. 405-406, C.S.R.	..	..	..	Already cancelled.
Art. 407, C.S.R.	..	..	..	Rule 292. The Notes are based on paras. 698 and 700-A of the Companion to C.S.R.
Art. 408, C.S.R.	..	..	..	Rule 293. Note 4 is based on para. 700 of the Companion to C.S.R.
Art. 409, C.S.R.	..	..	..	Rule 294 with adaptations.
Art. 410, C.S.R.	..	..	..	<i>Omitted</i> as unnecessary because of the provision in Rule 5(17) (h).
Art. 411, C.S.R.	..	..	..	<i>Omitted</i> being unnecessary in view of the new definition of "duty" in Rule 5(17)(d).
Art. 412, C.S.R.	..	..	..	Rule 295.
Art. 413, C.S.R.	..	..	..	Rule 296.
Art. 414, C.S.R. ..	..	..	..	Rule 297.
Art. 415, C.S.R.	..	..	..	Already cancelled.
Art. 416, C.S.R.	..	..	..	Rule 298.
Art. 417, C.S.R.	..	..	..	Rule 299.
Art. 418, C.S.R.	..	..	..	Rule 300.
Art. 419, C.S.R.	..	..	..	Rule 301.
Art. 420, C.S.R.	..	..	..	Rule 302 with adaptation.
Art. 421, C.S.R.	..	..	..	Rule 303.
Art. 422, C.S.R.	..	..	..	Rule 304. Note has been omitted as this deals with delegation of power.
Art. 423, C.S.R.	..	..	..	Rule 305 with adaptation.
Art. 423-A, C.S.R.	..	..	..	Already cancelled.
<i>Chapter XVIII.—Conditions of grant of pension.</i>				
Art. 424, C.S.R.	..	..	..	Rule 306.
Art. 425, C.S.R.	..	..	..	<i>Omitted</i> .
Art. 426, C.S.R.	..	..	..	Rule 308.
Art. 427, C.S.R.	..	..	..	Already cancelled.

Articles in the Civil Service Regulations.	Corresponding or analogous Rule of the East Pakistan Service Rules.
Art. 428, C.S.R.	Rule 309.
Art. 429, C.S.R.	Rule 310. The Note was omitted as it dealt with delegation of power to Local Government. The new Note and the "N.B." are based respectively on para. 713 of the Companion to C.S.R. and an audit ruling.
Art. 430, C.S.R.	Rule 311.
Art. 431, C.S.R.	Rule 312.
Art. 432, C.S.R.	Rule 313.
Art. 433, C.S.R.	Rule 314.
Art. 434, C.S.R.	Rule 315.
Art. 435, C.S.R.	Rule 316.
Art. 436, C.S.R.	Rule 317. The example is based on para. 714 of the Companion to C.S.R. Notes 1, 2, 3 and 4 are based respectively on paras. 715, 716, 717 and 718 of the Companion to C.S.R.
Art. 436-A, C.S.R.	Rule 318.
Art. 437, C.S.R.	Already cancelled.
Art. 438, C.S.R.	Rule 319.
Art. 439, C.S.R.	Already cancelled.
Art. 440, C.S.R.	Rule 320.
Art. 441, C.S.R.	Rule 321.
Art. 442, C.S.R.	Rule 322 with slight adaptation.
Art. 443, C.S.R.	Rule 323.
Art. 444, C.S.R.	Rule 324.
Art. 445, C.S.R.	Rule 325.
Art. 446, C.S.R.	Rule 326 with slight adaptation. Note is omitted as unnecessary.
Art. 447, C.S.R.	Rule 327.
Art. 447-A, C.S.R.	Rule 328.
Art. 448, C.S.R.	Omitted as it applies to Telegraph Department.
Art. 449, C.S.R.	Rule 329.
Art. 450, C.S.R.	Rule 330.
Art. 451, C.S.R.	Rule 331.
Art. 452, C.S.R.	Rule 332.
Art. 453, C.S.R.	Already cancelled.

Articles in the Civil Service Regulations.	Corresponding or analogous Rule of the East Pakistan Service Rules.
Art. 454, C.S.R. .. ..	.. Rule 333.
Art. 455, C.S.R. .. ..	.. Rule 334.
Art. 456, C.S.R. .. ..	.. Rule 335.
Art. 457, C.S.R. .. ..	.. Rule 336. The Note is based on para. 725 of the Companion to C. S. R.
Art. 458, C.S.R. .. ..	.. Rule 337.
Art. 459, C.S.R. .. ..	.. <i>Omitted</i> as unnecessary because of the provision in Chapter X.
Art. 460, C.S.R. .. ..	.. Rule 338 adapted suitably.
Arts. 461 and 462, C.S.R. .. ..	.. Already cancelled.
Art. 463, C.S.R. .. ..	.. Rule 339.
Art. 464, C.S.R. .. ..	.. Rule 340.
Art. 465, C.S.R. .. ..	.. Rule 341.
Art. 465-A, C.S.R. .. ..	.. Rule 342 suitably adapted.
Art. 465-B, C.S.R. .. ..	.. Rule 343—A new rule promulgated in terms of Finance Department Notification No. 780F., of 31st March 1941.
Art. 466, C.S.R. .. ..	.. Already cancelled.
Art. 467, C.S.R. .. ..	.. Rule 344 with slight adaptation. The Note was omitted as it dealt with delegation of power. A new Note was added on the basis of para. 736 of the Companion to C.S.R.

Chapter XIX.—Amount of Pensions.

Art. 468, C.S.R. .. ..	.. Rule 345.
Art. 468-A, C.S.R. .. ..	.. Rule 346.
Art. 469, C.S.R. .. ..	.. Rule 347.
Art. 470, C.S.R. .. ..	.. Rule 348.
Art. 471, C.S.R. .. ..	.. Rule 349.
Art. 472, C.S.R. .. ..	.. Rule 350.
Art. 473, C.S.R. .. ..	.. <i>Omitted</i> as cases of this type will be dealt with under rules in Chapter XII.
Art. 474, C.S.R. .. ..	.. Rule 351 with adaptation on the lines of Finance Department Notification No. 780F., of 31st March 1941.
Art. 474-A, C.S.R. .. ..	.. Rule 352 with omission of portions which are not applicable to persons under the rule-making control of this Government.
Art. 475, C.S.R. .. ..	.. Rule 353 with a Note added to explain the meaning of "effective service" based on an audit ruling.

Articles in the Civil Service Regulations.	..	..	..	Corresponding or analogous Rule of the East Pakistan Service Rules.
Art. 475-A, C.S.R.	..	..	..	Rule 354 with slight adaptation. Schedule has been modified to retain the posts and services which are under the rule-making control of this Government.
Art. 475-AA, C.S.R.	..	..	..	Already cancelled.
Art. 475-AAA, C.S.R.	..	..	..	Omitted as it deals with Central Services.
Art. 475-B, C.S.R.	..	..	..	Rule 355.
Art. 476, C.S.R.	..	..	..	Omitted as the services to which it applies are not under the rule-making control of this Government.
Arts. 477-80, C.S.R.	..	..	..	Already cancelled.
Art. 481, C.S.R.	..	..	..	Omitted.
Art. 482, C.S.R.	..	..	..	Rule 357 (b).
Art. 483, C.S.R.	..	..	..	Omitted.
Arts. 484-5, C.S.R.	..	..	..	Omitted as they deal with services not under the rule-making control of this Government.
Art. 486, C.S.R.	..	..	..	Rule 5 (20) adapted suitably to meet local requirements.
Art. 487, C.S.R.	..	..	..	Rule 5 (4) slightly modified to suit local requirements.
Art. 488, C.S.R.	..	..	..	Rule 362 with adaptation.
Art. 489, C.S.R.	..	..	..	Rule 363 with omission of portion not applicable in East Pakistan.
Art. 490, C.S.R.	..	..	..	Rule 364 suitably adapted.
Art. 491, C.S.R.	..	..	..	Rule 365 suitably adapted.
Art. 492, C.S.R.	..	..	..	Rule 366.
Art. 493, C.S.R.	..	..	..	Rule 367.

Chapter XX.— Special Rules for the Police.

Art. 494, C.S.R.	..	..	..
Art. 495, C.S.R.	..	..	..
Art. 496, C.S.R.	..	..	..
Art. 497, C.S.R.	..	..	..	Already cancelled.
Art. 498, C.S.R.	..	..	..
Art. 499, C.S.R.	..	..	..
Art. 500, C.S.R.	..	..	..	Omitted as not relevant.

Articles in the Civil Service Regulations.

Corresponding or analogous Rule of the
East Pakistan Service Rules.

Art. 501, C.S.R.	..	..	..
Art. 502, C.S.R.	..	..	..	Already cancelled.
Art. 503, C.S.R.	..	..	..
Art. 504, C.S.R.	..	..	..	Omitted as it relates to Calcutta Police.
Art. 505, C.S.R.	..	..	..	....
Art. 506, C.S.R.	..	..	..	....
Art. 507, C.S.R.	..	..	..	....
Art. 508, C.S.R.	..	..	..
Art. 509, C.S.R.	..	..	..	....

Chapter XXI.—Re-employment of Pensioners.

Art. 509-A, C.S.R.	..	..	..
Art. 510, C.S.R.	..	..	..	Rule 381.
Art. 510-A, C.S.R.	..	..	..	Rule 382.
Art. 510-B, C.S.R.	..	..	..	Rule 383.
Art. 511, C.S.R.	..	..	..	Rule 384.
Art. 512, C.S.R.	..	..	..	Rule 385.
Art. 513, C.S.R.	..	..	..	Already cancelled.
Art. 514, C.S.R.	..	..	..	Rule 386.
Art. 515, C.S.R.	..	..	..	Rule 387.
Art. 516, C.S.R.	..	..	..	Rule 388.
Arts. 517-18, C.S.R.	..	..	..	Already cancelled.
Art. 519, C.S.R.	..	..	..	Rule 389.
Art. 520, C.S.R.	..	..	..	Rule 390 suitably adapted.
Art. 521, C.S.R.	..	..	..	Rule 391.
Art. 522, C.S.R.	..	..	..	Rule 392.
Art. 523, C.S.R.	..	..	..	Rule 393 with omission of portions not relevant.
Art. 524, C.S.R.	..	..	..	Already cancelled.
Art. 524-A, C.S.R.	..	..	..	Omitted as it applies to appointment under the Railway Board.
Art. 524-B, C.S.R.	..	..	..	Rule 394.
Art. 524-C, C.S.R.	..	..	..	Rule 395.

Articles in the Civil Service Regulations.

Corresponding or analogous Rule of the East Pakistan Service Rules.

Art. 525, C.S.R.	....	..	..	Rule 396.
Art. 526, C.S.R.	..	..	..	Rule 397.
Arts. 527, 528 and 528-A, C.S.R.	..	..	..	Already cancelled.
Art. 528-B, C.S.R.	..	..	..	Rule 398.
Art. 529, C.S.R.	..	..	..	Rule 399.
Art. 530, C.S.R.	..	..	..	Rule 400.
Art. 531, C.S.R.	..	..	..	Rule 401.
Art. 531-A, C.S.R.	..	..	..	Rule 402 with slight adaptation.
<i>Chapter XXXVIII.—Wound and other Extraordinary Pensions.</i>				
Art. 728, C.S.R.	..	..	..	Rule 403.
Art. 729, C.S.R.	..	..	..	Rule 404.
Art. 730, C.S.R.	..	..	..	Rule 405.
Art. 731, C.S.R.	..	..	..	Rule 406.
Art. 732, C.S.R.	..	..	..	Rule 407.
Art. 733, C.S.R.	..	..	..	<i>Omitted</i> as this deals with delegation of powers to Local Government.
Art. 734, C.S.R.	..	..	..	<i>Omitted</i> as dealing with expenditure chargeable to British Revenues.
Art. 735, C.S.R.	..	..	..	<i>Omitted</i> as no report to Secretary of State has to be made.
Art. 736, C.S.R.	..	..	..	Rule 408.
Art. 737, C.S.R.	..	..	..	Rule 409.
Art. 738, C.S.R.	..	..	..	Rule 410.
Art. 739, C.S.R.	..	..	..	Rule 411 adapted suitably.
Art. 740, C.S.R.	..	..	..	Rule 412 with omission of posts which are not under the rule-making control of this Government.
Art. 740-A, C.S.R.	..	..	..	Rule 413.
Art. 741, C.S.R.	..	..	..	Rule 414.
Art. 741-A, C.S.R.	..	..	..	Rule 415.
Art. 741-B, C.S.R.	..	..	..	Rule 416.
Art. 742, C.S.R.	..	..	..	Rule 417.
Art. 743, C.S.R.	..	..	..	Rule 418.
Art. 744, C.S.R.	..	..	..	Rule 419.
Art. 745, C.S.R.	..	..	..	Rule 420.
Art. 746, C.S.R.	..	..	..	Rule 421.

Articles in the Civil Service Regulations.	..	..	..	Corresponding or analogous Rule of the East Pakistan Service Rules.
Art. 746-A, C.S.R.	..	..	..	Rule 422 suitably adapted.
Art. 746-B, C.S.R.	..	..	..	Rule 423 adapted suitably. The addition to the Note is based on para. 877-C. of the Companion to C.S.R.
Art. 746-B-B, C.S.R.	..	..	..	Rule 424.
Art. 746-C., C.S.R.	..	..	..	Rule 425.
Art. 746-D, C.S.R.	..	..	..	Rule 426 adapted suitably.
Art. 746-E, C.S.R.	..	..	..	Rule 427.
Art. 747, C.S.R.	..	..	..	Rule 428. Notes 1 and 3 have been omitted as they deal with delegation of power.
Art. 747-A, C.S.R.	..	..	..	Omitted as it applies to State Railway Servants.
Arts. 748-49, C.S.R.	..	..	..	Already cancelled.

Chapter XLVII.—Applications for and grant of Pensions.

Art. 905, C.S.R.	..	..	..	Rule 429 with omission of portions not relevant.
Art. 906, C.S.R.	..	..	..	Rule 430.
Art. 907, C.S.R.	..	..	..	Rule 431.
Art. 908, C.S.R.	..	..	..	Rule 432.
Art. 909, C.S.R.	..	..	..	Rule 433.
Art. 910 C.S.R.	..	..	..	Rule 434.
Art. 911, C.S.R.	..	..	..	Rule 435.
Art. 912, C.S.R.	..	..	..	Rule 436.
Art. 913, C.S.R.	..	..	..	Rule 437.
Art. 914, C.S.R.	..	..	..	Rule 438.
Art. 915, C.S.R.	..	..	..	Rule 439 with omission of Note 1 which applies to Postal Department and Note 2 is made self-contained.
Art. 916, C.S.R.	..	..	..	Rule 440.
Art. 917, C.S.R.	..	..	..	Rule 441.
Art. 918, C.S.R.	..	..	..	Rule 442.
Art. 919, C.S.R.	..	..	..	Rule 443.
Art. 920, C.S.R.	..	..	..	Rule 444.
Art. 921, C.S.R.	..	..	..	Omitted as approval of Government of Pakistan is not necessary to sanction special concessions to persons under the rule-making control of this Government.
Art. 922, C.S.R.	..	..	..	Rule 445.

Articles in the Civil Service Regulations.	Corresponding or analogous Rule of East Pakistan Service Rules.
Art. 923, C.S.R.	.. Rule 446.
Art. 924, C.S.R.	.. Rule 447.
Art. 925, C.S.R.	.. Rule 448.
Art. 926, C.S.R.	.. Rule 449.
Arts 927-29, C.S.R.	.. Already cancelled.
<i>Chapter XLVIII.—Payment of Pensions.</i>	
Art. 930, C.S.R.	.. Rule 450.
Art. 931, C.S.R.	.. Rule 451.
Art. 932, C.S.R.	.. Rule 452.
Art. 933, C.S.R.	.. Rule 453 with slight adaptation.
Art. 933-A, C.S.R.	.. Rule 454 adapted suitably.
Art. 934, C.S.R.	.. Rule 455.
Art. 934-A, C.S.R.	.. Rule 456.
Art. 934-B, C.S.R.	.. Rule 457.
Art. 934-C, C.S.R.	.. Rule 458.
Art. 934-D, C.S.R.	.. Rule 459.
Art. 935, C.S.R.	.. Rule 460.
Art. 936, C.S.R.	.. Rule 461.
Art. 937, C.S.R.	.. Rule 462.
Art. 938, C.S.R.	.. Rule 463.
Art. 939, C.S.R.	.. Rule 464, with the omission of Note 1 which deals with procedure to be followed in payment of pensions chargeable to Local Funds and Indian States. This is really an accounts procedure and not a condition of service.
Art. 940, C.S.R.	.. Rule 465.
Art. 941, C.S.R.	.. Rule 466, with omission of clause (b) which deals with delegation of power to Local Government.
Art. 942, C.S.R.	.. Rule 467.
Art. 943, C.S.R.	.. Rule 468, with omission of the Note which deals with delegation of power.
Art. 944, C.S.R.	.. Rule 469, with omission of the Note as it is not relevant.
Art. 945, C.S.R.	.. Rule 470, with the replacement of the Note by one based on para. 1068 of the Companion to C.S.R.
Art. 946, C.S.R.	.. Rule 471.

Articles in the Civil Service Regulations.			Corresponding or analogous Rule of the East Pakistan Service Rules.
Art. 947, C.S.R.	..	..	.. Rule 472
Art. 948, C.S.R.	..	..	.. Rule 473.
Art. 949, C.S.R.	..	..	.. Rule 474.
Art. 950, C.S.R.	..	..	.. Rule 475, adapted suitably to meet present day requirement based on para 1073 of the Companion to C.S.R.
Art. 951, C.S.R.	..	..	.. Rule 476.
Art. 952, C.S.R.	..	..	.. Rule 477.
Art. 953, C.S.R.	..	..	.. Rule 478.
Art. 954, C.S.R.	..	..	.. Rule 479.
Art. 955, C.S.R.	..	..	.. Rule 480.
Art. 956, C.S.R.	..	..	.. Rule 481.
Art. 957, C.S.R.	..	..	.. Rule 482. The Note has been modified on the lines of para. 1078A of the Companion to C.S.R.
Art. 958, C.S.R.	..	..	.. Rule 483.
Art. 959, C.S.R.	..	..	.. Rule 484. The Note has been amended on the lines of para. 1079A of the Companion to C.S.R.
Art. 960, C.S.R.	..	..	.. Rule 485.
Art. 961, C.S.R.	..	..	.. Rule 486.
Art. 962, C.S.R.	..	..	.. Rule 487 adapted suitably.
Art. 963, C.S.R.	..	..	.. Rule 488.
Art. 964, C.S.R.	..	..	.. Rule 489.
Art. 965, C.S.R.	..	..	.. Rule 490 suitably adapted.
Art. 966, C.S.R.	..	..	.. Rule 491.
Art. 967, C.S.R.	..	..	.. Rule 492.
Arts. 968-69, C.S.R.	..	..	.. Already cancelled.
Art. 970, C.S.R.	..	..	.. Rule 493.
Art. 971, C.S.R.	..	..	.. Already cancelled.
Art. 972, C.S.R.	..	..	.. Rule 494 adapted suitably.
Art. 973, C.S.R.	..	..	.. Rule 495.

Chapter XLIX.—Members of the Civil Service of Pakistan.

Art. 974, C.S.R.	..	..	.. Rule 496.
Arts. 975-76, C.S.R.	..	..	.. Already cancelled.
Art. 977, C.S.R.	..	..	.. Rule 497 suitably adapted.

Articles in the Civil Service Regulations.

Corresponding or analogous Rule of the
East Pakistan Service Rules.

Art. 978, C.S.R.	..	..	..	Rule 498.
Art. 979, C.S.R.	..	..	..	Already cancelled.
Art. 980, C.S.R.	..	..	..	<i>Omitted</i> as it deals with the annuity of Members of Governor's Executive Council of old which is not extant.
Art. 981, C.S.R.	..	..	..	Rule 499.
Art. 982, C.S.R.	..	..	..	Rule 500.
Art. 983, C.S.R.	..	..	..	Rule 501 with suitable adaptation.
Art. 984, C.S.R.	..	..	..	Rule 502 suitably adapted.
Art. 985, C.S.R.	..	..	..	Rule 503 with suitable adaptations.
Art. 986, C.S.R.	..	..	..	Rule 504 adapted suitably.
Art. 987, C.S.R.	..	..	..	Rule 505.

Appendices relating to Pension Rules.

Appendix No. 7A	Appendix No. 10 suitably adapted.
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Appendices 8 and 9 though connected with pensions have been omitted as Provincial Governments have full discretion to grant special concessions.

Appendix No. 15	Appendix No. 6.
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Forms relating to pensions.

Form No. 22 (Pension)	E.B.S.R. Form No. 1.
Form No. 25 (Pension)	E.B.S.R. Form No. 2.
Form No. 27 (Pension)	..	..	..	E.B.S.R. Form No. 3.
Form No. 28 (Pension)	..	..	..	E.B.S.R. Form No. 4.
Form No. 29 (Pension)	..	..	..	E.B.S.R. Form No. 5.

The other forms have been dealt with in connection with rules regulating other conditions of services.

APPENDIX No. 13

GOVERNMENT OF EAST PAKISTAN

SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

No. IC-29/62—20th August 1962—In exercise of the powers conferred by sub-clause (b) of clause (2) of Article 178 of the Constitution of the Republic of Pakistan, the Governor is pleased to make the following rules, namely :—

THE EAST PAKISTAN SERVICES (DELEGATION OF POWERS) RULES, 1962.

1. **Short title and commencement**—(1) These rules may be called the East Pakistan Services (Delegation of Powers) Rules, 1962.

(2) They shall come into force with immediate effect.

2. **Definitions**—In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

- (a) "Administrative Departments" means the self-contained administrative units in the East Pakistan Secretariat responsible for the conduct of business of Government, each in a distinct and specified sphere;
- (b) "Government" means the Government of East Pakistan.
- (c) "Heads of Directorate" means the officers specified in Appendix "A".
- (d) "Divisional Deputy Directors" include all officers of Directorate of the rank of Deputy Director in charge of Divisions;
- (e) "Appointing Authorities" are those specified in Appendix "B" excluding Administrative Departments, Heads of Directorates and Divisional Deputy Directors;
- (f) "Transferring Authorities" are those specified in Appendix "C";
- (g) "Other Officers" are those specified in Appendix "D";
- (h) "Appendix" means an appendix to those rules.

3. **Powers of the Administrative Departments**—All Administrative Departments shall have powers indicated in Appendix "E" in respect of Government servants whom they are competent to appoint, or who are placed under their administrative control.

4. **Powers of Heads of Directorates**—All Heads of Directorates shall have powers indicated in Appendix "F" in respect of Government servants whom they are competent to appoint, or who are placed under their administrative control.

5. **Powers of Divisional Deputy Directors**—All Divisional Deputy Directors shall have powers indicated in Appendix "G" in respect of Government servants whom they are competent to appoint, or who are placed under their administrative control.

6. **Powers of Appointing Authorities**—Appointing authorities shall have powers indicated in Appendix "H" in respect of Government servants whom they are competent to appoint.

7. **Powers of Transferring Authorities**—Transferring authorities shall have powers indicated in Appendix "I" in respect of Government servants whom they are competent to transfer.

8. **Powers of "Other Officers"**—Other Officers shall have powers indicated in Appendix "J".

9. **Powers delegated to be exercisable by higher authorities**—The powers delegated to subordinate authorities may also be exercised by the higher authority should an occasion arise for doing so.

10. **Relaxation or interpretation of these rules**—Questions of relaxation or interpretation of these rules shall be referred to the Services and General Administration (Regulation) Department whose decision shall be final.

11. **Administrative Departments to consult Financial Advisers**—The powers delegated to the Administrative Departments shall be exercised by them without reference to the Finance Department, but in consultation with their Financial Advisers.

12. **Powers to be subject to general or specific instructions**—The powers delegated under these rules are subject to such general or specific instructions as may be issued from time to time by the Services and General Administration (Regulation) Department.

13. **Powers to be in supersession of existing powers**—The powers delegated under these rules shall be in supersession of the powers delegated under any rule, order, notification or instrument in force in any part of East Pakistan. Where, however, these rules make no provision, the delegations in force immediately before the issue of these rules will continue to remain in force.

By order of the Governor,

S. A. F. M. A. SOBHAN,

*Addl. Chief Secy. to the Govt. of
East Pakistan.*

APPENDIX A

[See Rule 2 (c)].

List of Heads of Directorates.

- (1) Secretary, Board of Revenue.
- (2) Commissioners of Divisions.
- (3) Director, Land Records and Surveys.
- (4) Inspector-General of Police.
- (5) Inspector-General of Prisons.
- (6) Commandant, East Pakistan Rifles.
- (7) Director, Government Transport.
- (8) Director, Civil Defence and Ansars.
- (9) Director, Bureau of National Reconstructions.
- (10) Director of Public Relations.
- (11) Director, Bureau of Anti-Corruption.
- (12) Chairman, Public Service Commission.
- (13) Director of Agriculture.
- (14) Director of Livestock Services.
- (15) Director of Fisheries.
- (16) Registrar, Co-operative Societies.
- (17) Director, Agricultural Marketing.
- (18) Chief Conservator of Forests.
- (19) Director, Movement and Storage.
- (20) Director, Procurement and Distribution.
- (21) Director of Accounts.
- (22) Director, Health Services.
- (23) Director of Public Instructions.
- (24) Director, Commerce and Industries.
- (25) Director of Supply.
- (26) Director of Labour.
- (27) Director of Technical Education.
- (28) Advocate-General.
- (29) Superintendent and Remembrancer of Legal Affairs.
- (30) Chief Engineer, Buildings.
- (31) Chief Engineer, Public Health Engineering

- (32) Director, Provincial Statistical Board and Bureau of Commercial and Industrial Intelligence.
- (33) Chief Engineer, Roads.
- (34) Chief Architect and Town Planner.
- (35) Director of Fire Services.
- (36) Director of Social Welfare.
- (37) Director, Taxation and Excise.
- (38) Inspector-General of Registration.
- (39) Chief Engineer, Irrigation Directorate.

APPENDIX B

[See rule 2(e)].

List of Appointing Authorities.

Class of posts.	Appointing authority.
(i) Class I posts and posts in the E.P.C.S. Class II, and E.P.R.S., excepting the posts of Sub-Registrars and other Class II posts not under a Head of Directorate.	Government in the Administrative Department.
(ii) Other Class II Posts	Heads of Directorates.
(iii) Class III posts in the Divisions	Divisional Commissioner/Divisional Deputy Directors, as the case may be.
(iv) Class III posts in the Secretariat	Deputy Secretary in the Administrative Department.
(v) Class III posts in the Directorate headquarters and posts to which recruitment is to be made on Provincial basis.	Heads of Directorates.
(vi) Class III posts under the Forest Directorate	Head of the Directorate.
(vii) Class III posts in the District and Subordinate offices.	Heads of District Offices.
(viii) Class IV posts in the Secretariat	Section Officer of the Administrative Department.
(ix) Class IV posts in other Offices	Heads of the Offices concerned.

APPENDIX C.

[See Rule 2(f)].

List of Transferring Authorities.

Class of Government servants.	Transferring Authority.
(i) Class I Officers attached to Directorates ..	Heads of Directorates.
(ii) Other Class I Officers	Government in the Administrative Department.
(iii) Class II Officers, excepting E.P.R.S. Officers ..	Where a Class II Officer has been appointed by a Head of a Directorate, he may be transferred to places within the Division by the Divisional Deputy Director, or by the Commissioner if such an Officer is placed directly under him, and to places outside the Division by the Head of the Directorate; but where the Class II Officer has been appointed by Government he may be transferred to places within the Division by the Commissioner and outside the Division by Government.
(iii)(a) E.P.R.S. Officers	Inspector-General of Registrations in the case of Sub-Registrar and Government in the Administrative Departments in all other cases.
(iv) Class III Officers	Divisional Deputy Directors concerned.

APPENDIX D

[See rule 2(g)].

List of other Officers.

- (1) Deputy Commissioners.
- (2) District Judges.
- (3) Superintendents of Police.
- (4) Civil Surgeons.
- (5) Executive Engineers.
- (6) Divisional Forest Officers.

APPENDIX E

(See rule 3.)

Powers of the Administrative Departments.

Sl. No.	Nature of Powers.	Extent of Powers.
<i>Power of Appointment.</i>		
1	Power to appoint Government servant to officiate in two or more vacant posts.	Full powers.
<i>Medical certificates.</i>		
2	Power to dispense with the production of medical certificate.	Full powers, provided a medical examination is held and the Director of Health Services certifies that the particular disability will not interfere with the discharge of the specific duties of the Government servant.
<i>Pay and allowances.</i>		
3	Initial fixation of pay of Government servants in accordance with the rules or the relaxation provided for in the rules—	
	(i) Power to reduce emoluments of officiating Government servants.	Full powers.
	(ii) Power to fix within certain limits the pay of Government servants officiating in a post, the pay of which is personal.	Full powers.
<i>Increments.</i>		
4	Power to permit extraordinary leave to count for increment.	Full powers, provided that the extraordinary leave has been taken due to illness.
<i>Honorarium and fee.</i>		
5	Grant of honoraria .. .. .	.. Up to Rs.1,000 to each Government servant in a year.
6	Exemption from crediting a portion of fee to Government.	Full powers to permit Government servants to undertake work for which fee is offered and to allow receipt of the fee not exceeding Rs.1,000 per annum.
<i>Additional pay.</i>		
7	Grant of additional pay to Government servant performing duties of more than one post.	Full powers, subject to the conditions stated below—
		(1) Formal appointment order for the second post exists and the officer is fully qualified to hold the second post.
		(2) The additional pay does not exceed 20 per cent. of the presumptive pay of the second post or Rs. 200 per month whichever is less.
		(3) No additional pay is allowed for holding a post of equal rank within the same office or establishment.

Sl. No.	Nature of Powers.	Extent of Powers.
		(4) No additional pay is allowed for holding an inferior post.
		(5) For holding additional charge of a superior post the officer will have the option of—
		(a) drawing the pay of the higher post, or
		(b) drawing pay of the inferior post plus 20 per cent. of the presumptive pay of the second post subject to the maximum of Rs.200 per month.
		(6) Additional pay will not be sanctioned for a period exceeding 3 months. Prior sanction of the Services and General Administration (Regulation) Department should be obtained in case the dual charge is likely to exceed 3 months. Additional pay beyond 3 months shall be admissible at 10 per cent. subject to a maximum of Rs.100 per month.
		(7) No additional pay will be allowed for a third post without reference to the Services and General Administration (Regulation) Department.
		(8) No additional pay will be allowed in respect of newly created post which has not yet been filled up by a whole-time incumbent except in consultation with the Services and General Administration (Regulation) Department.
		(9) No additional pay will be allowed when the period of dual charge is less than 3 weeks.
		(10) When a Government servant is allowed to hold current charge of another post he may be granted special pay of 10 per cent., subject to a maximum of Rs.100 for a period of 3 months.

Foreign Service.

8 Transfer of Government servant to foreign service. Full powers provided that—

- (1) the foreign employer is a local body or an authority set up by Government, or in case of the Co-operative Department an approved Co-operative Society, or in case of Education Department an approved aided educational institution;

Sl. No.	Nature of Powers.	Extent of Powers.
		<p>(2) the cases of transfer of Government servants to foreign service in which it is proposed to sanction pay and allowances in excess of those which the Government servant would draw if he was in Government services or in which it is proposed to give any other concession of pecuniary value, should be referred to the Foreign Service Committee constituted by Resolution No. F/LA/2A-50/59/131, dated the 5th April, 1961 for concurrence before the terms and conditions of transfer to foreign service are sanctioned;</p> <p>(3) compensatory allowances do not substantially differ in nature or amount from what is admissible under Government;</p> <p>(4) leave and pension contributions are recovered.</p>
9	Power to decide the date of reversion from foreign service.	Full powers.
10	Power to grant <i>pro-forma</i> promotion to Government servants in foreign service.	Full powers.
<i>Relaxation of age limit.</i>		
11	Condonation of over-age	Full powers.
<i>Re-employment.</i>		
12	Re-employment of Government servants	Full powers up to 60 years, subject to physical fitness of the officers, and in the case of gazetted Government servants, subject to the approval of the Council of Ministers.
<i>Transfer and Posting.</i>		
13	Transfer and posting of officers	Full powers.
<i>Transfer of Charge.</i>		
14	Power to allow making or taking over charge at a place other than headquarters.	Full powers.
15	Powers to permit relieving officers to be absent at the time of making over charge.	Full powers.
<i>Travelling Allowances.</i>		
16	Relaxation of prescribed time-limit where the family of a transferred Government servant could not join him within 6 months, due to shortage of accommodation, education of children, medical and compassionate grounds.	Full powers.

Sl. No.	Nature of Powers.	Extent of Powers.
17	Relaxation of prescribed time-limit where the family could not follow a Government servant granted travelling allowance concession during leave, within the period of one month on medical ground or due to private affairs.	Full powers.
18	Grant of travelling allowance concession during leave, where leave is combined with extraordinary leave due to circumstances beyond the control of the Government servant.	Full powers.
19	Purchase of furniture, etc., from sources other than authorised dealers, or items other than those specified, by Government servant domiciled in one Zone when transferred to the other.	Full powers.
20	Grant of travelling and daily allowances to official and non-official members of Commission/Committee set up by Government, and to foreign experts.	For officials as admissible under the normal rule and for non-officials and foreign experts up to maximum rate admissible to a Secretary to the Government.
21	Grant of daily allowance for compulsory halt due to dislocation of communications.	Full powers.
22	Power to sanction journeys on tour to Karachi and West Pakistan.	Full powers in respect of gazetted officers only.
23	Power to sanction travelling allowance in cases where a suspended Government servant is required to make a journey for attending departmental enquiry.	Full powers.
24	Power to sanction travelling allowance for Government servants, compelled to answer civil or criminal charges in connection with official duties.	Full powers.
25	Power to sanction travelling allowance by air in machines of public Air Transport Companies regularly plying for hire.	Full powers.
26	Power to prescribe scale of tents to be supplied to officers of various grades.	Full powers.
27	Power to grant exemption from rule limiting a halt on tour to 10 days.	Full powers.
<i>Leave.</i>		
28	Grant of extraordinary leave to temporary Government servants up to one year for reasons beyond their control.	Full powers for temporary Government servants deputed for training abroad, and also for temporary Government servants who contact tuberculosis.
29	Grant of leave terms of officers appointed on contract.	Full powers to the extent laid down by Government in the Model Rule in Appendix No. 7 of the East Bengal Service Rules, Part I.
30	Power to accept certificate of fitness signed by any registered medical practitioner.	Full powers.

Sl. No.	Nature of Powers.	Extent of Powers.
31	Power to grant leave to Government servant in respect of whom a medical committee has reported that there is no prospect of his return to duties.	Full powers.
<i>Provident Funds.</i>		
32	Grant of second advances from various Provident Funds to Government servants.	Full powers up to 3 advances.
33	Permission to postpone recovery for a specified period.	Full powers.
34	Permission to increase the number of instalments beyond 24.	Full powers up to 48 instalments.
35	Authorisation of the final payment of fund dues of deceased Government servants to the members of his family dispensing with the production of succession certificate and guardianship certificate in the case of minor heirs.	Full powers subject to production of an indemnity bond if the share of each is Rs. 100 or less.
36	Question of deciding the real legal heirs in case where there is no nomination or the nomination is incorrect or invalid.	Full powers.
<i>Pension.</i>		
37	Condonation of interruption of service for pension.	Full powers, except in cases of temporary Government servants.
38	Condonation of deficiency in qualifying service for pension.	<p>(1) Full powers up to 6 months provided that—</p> <p>(a) the official would not earn ordinary pension but for condonation;</p> <p>(b) the official has served meritoriously.</p> <p>(2) Condonation up to 12 months may be allowed provided that in addition to the above two conditions, the official has—</p> <p>(i) other non-qualifying service to his credit, or</p> <p>(ii) the official has retired prematurely due to medical reasons or a abolition of the post.</p> <p>(3) No condonation will be allowed for purposes of—</p> <p>(a) earning higher pension;</p> <p>(b) special additional pension.</p> <p>(4) officials who retired voluntarily will not be entitled to any condonation.</p>

Sl. No.	Nature of Powers.	Extent of Powers.
39	Power to sanction ordinary pension and special additional pension as admissible under the rules.	Full powers subject to a report from the Accountant-General, East Pakistan.
40	Power to count Military service towards pension	Full powers subject to a report of admissibility from the Accountant-General, East Pakistan.
41	Power to sanction commutation of pension ..	Full powers subject to a report of availability of funds from the Finance Department.
42	Power to grant compassionate pension to Government servants removed or discharged from service.	Full powers up to 2/3rd of pension ordinarily admissible.

APPENDIX F

(See Rule 4.)

Power of the Heads of Directorates.

Power of Appointment.

- Power to appoint Government servants to office in two or more vacant posts. Full powers in respect of Government servants of whom they are appointing authorities.

Medical Certificate.

- 2 Power to dispense with production of medical certificate. Full powers in respect of non-gazetted staff provided a medical examination is held and the Director of Health Services certifies that the particular disability will not interfere with the discharge of the specific duties of the Government servant.

Pay and Allowances.

- 3 Initial fixation of pay of Government servants in accordance with the rules or the relaxation provided for in the rules—
- (i) Power to reduce emoluments of officiating Government servants. Full powers in respect of Government servants of whom they are appointing authorities.
- (ii) Power to fix within certain limit the pay of Government servants officiating in a post, the pay of which is personal. Full powers.

Increments.

- 4 Power to permit extraordinary leave to count for increment. Full powers in respect of Government servants of whom they are appointing authorities provided that the extraordinary leave has been taken due to illness.

Sl. No.	Nature of Powers.	Extent of Powers.
<i>Honorarium and Fee.</i>		
5	Grant of honoraria	Up to Rs.500 to each Government servant per annum.
6	Exemption from crediting a portion of fee to Government.	Full powers when the fee does not exceed Rs. 500 per annum.

Additional Pay.

7	Grant of additional pay to Government servant performing duties of more than one post.	<p>Full powers subject to the conditions stated below—</p> <ol style="list-style-type: none"> (1) Formal appointment order for the second post exists and the officer is fully qualified to hold the second post. (2) The additional pay does not exceed 20 per cent. of the presumptive pay of the second post or Rs. 200 per month whichever is less. (3) No additional pay is allowed for holding a post of equal rank within the same office or establishment. (4) No additional pay is allowed for holding an inferior post. (5) For holding additional charge of a superior post the Officer will have the option of— <ol style="list-style-type: none"> (a) drawing the pay of the higher post, or (b) drawing pay of the inferior post plus 20 per cent. of the presumptive pay of the second post, subject to the maximum of Rs. 200 per month. (6) Additional pay will not be sanctioned for a period exceeding 3 months. Prior sanction of the Services and General Administration (Regulation) Department should be obtained in case the dual charge is likely to exceed 3 months. Additional pay beyond 3 months shall be admissible at 10 per cent. subject to a maximum of Rs. 100 per month. (7) No additional pay will be allowed for a third post without reference to the Services and General Administration (Regulation) Department. (8) No additional pay will be allowed in respect of a newly created post which has not yet been filled up by a whole-time incumbent except in consultation with the Services and General Administration (Regulation) Department.
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Sl. No.	Nature of Powers.	Extent of Powers.
		(9) No additional pay will be allowed when the period of dual charge is less than 3 weeks.
		(10) When a Government servant is allowed to hold current charge of another post he may be granted special pay of 10 per cent. subject to a maximum of Rs. 100 for a period of 3 months.
	<i>Foreign Service.</i>	
8	Transfer of Government servants to Foreign Service.	Full powers up to Class II Gazetted Officers subject to the following conditions:— (1) the foreign employer is a local body or an authority set up by Government or, in case of Co-operative Department an approved Co-operative Society, or, in case of Education Department an approved aided educational institution. (2) the cases of transfer of Government servants to Foreign Service in which it is proposed to sanction pay and allowances in excess of those which the Government servants would draw if he was in Government service, or in which it is proposed to give any other concession of pecuniary value, should be referred to the Foreign Service Committee constituted by Resolution No. F/LA/2A-50/59/131, dated, the 5th April, 1961 for concurrence before the terms and condition of transfer to Foreign Service are sanctioned. (3) Compensatory allowances do not substantially differ in nature or amount from what is admissible under Government. (4) Leave and pension contributions are recovered.
9	Power to decide the date of reversion from Foreign service.	Full powers up to Class II Officers.
10	Power to grant pro-forma promotion to Government servants in Foreign services.	Full powers in respect of Government servants of whom they are appointing authorities.
	<i>Relaxation of Age limit.</i>	
11	Condonation of over-age	Full powers.
	<i>Re-employment.</i>	
12	Re-employment of Government servants	Up to 60 years in respect of non-gazetted staff appointed by him, subject to physical fitness of the Officer.

Sl. No.	Nature of Powers.	Extent of Powers.
<i>Transfer and Posting.</i>		
13	Transfer and Posting of Officers	Full powers in respect of all gazetted Officers, except Officers holding charge of district, Deputy Directors and Officers of equal rank.
<i>Transfer of Charge.</i>		
14	Power to allow making or taking over charge at a place other than headquarters.	Full powers.
15	Power to permit relieving Officers to be absent at the time of making over charge.	Full powers.
<i>Travelling Allowances.</i>		
16	Relaxation of prescribed time-limit where the family of a transferred Government servant could not join him within 6 months, due to shortage of accommodation, education of children, medical and compassionate ground.	Full powers up to Class II Officers.
17	Relaxation of prescribed time-limit where the family could not follow a Government servant granted travelling allowance concession during leave, within the period of one month on medical grounds or due to private affairs.	Full powers up to Class II Officers.
18	Grant of travelling and daily allowances to official and non-official members of Commission/Committee set up by Government and to foreign experts.	For officials only, as admissible under the normal rules.
19	Grant of daily allowance for compulsory halt due to dislocation of communications.	Full powers up to Class II officers.
20	Power to sanction travelling allowance for Government servants compelled to answer civil or criminal charges in connection with official duties.	Full powers up to Class II officers.
21	Power to sanction journeys on tour to Karachi and West Pakistan.	Full powers up to Class II officers.
22	Power to sanction travelling allowance in cases where a suspended Government servant is required to make a journey for attending Departmental enquiry.	Full powers up to Class II officers in respect of whom they are appointing authorities.
23	Power to sanction travelling allowance by air in machines of public Air Transport Companies regularly plying for hire.	Full powers.
24	Power to prescribe scale of tents to be supplied to officers of various grades.	Full powers.
25	Power to grant exemption from rule limiting a halt on tour to 10 days.	Full powers.

Sl. No.	Nature of powers.	Extent of Powers.
<i>Leave.</i>		
26	Grant of extraordinary leave to temporary Government servants up to one year for reasons beyond their control.	Full powers in respect of temporary non-gazetted staff who contact tuberculosis.
27	Power to accept certificate of fitness signed by any registered medical practitioner.	Full powers.
28	Power to grant leave to Government servant in respect of whom a medical committee has reported that there is no prospect of his return to duties.	Full powers.
<i>Provident Funds.</i>		
29	Grant of second advance from various Provident Funds to Government servants.	Full powers up to 2 advances up to Class II officers.
30	Permission to postpone recovery for a specified period.	Full powers.
31	Permission to increase the number of instalments beyond 24.	Full powers up to 48 instalments up to Class II officers.
32	Authorisation of final payment of fund dues of deceased Government servants to the members of his family dispensing with the production of succession certificate and guardianship certificate in case of minor heirs.	Full powers up to Class II Government servants, subject to production of an indemnity bond, if the share of each is Rs. 100 or less.
33	Question of deciding the real legal heirs in case where there is no nomination or the nomination is incorrect or invalid.	Full powers up to Class II Government servants in consultation with Government Pleader.
<i>Pension.</i>		
34	Condonation of interruption of service for pension.	Full powers except in case of temporary Government servants.
35	Condonation of deficiency in qualifying service for pension.	<p data-bbox="636 1103 1071 1144">(1) Full powers up to 6 months provided that—</p> <p data-bbox="647 1163 1071 1204">(a) the official would not earn ordinary pension but for condonation ;</p> <p data-bbox="647 1223 1071 1246">(b) the official has served meritoriously.</p> <p data-bbox="624 1265 1071 1343">(2) Condonation up to 12 months may be allowed provided that in addition to the above two conditions, the official has—</p> <p data-bbox="647 1362 1071 1403">(i) other non-qualifying service to his credit, or</p> <p data-bbox="647 1422 1071 1480">(ii) the official has retired prematurely due to medical reasons or abolition of the post.</p>

Sl. No.	Nature of Powers.	Extent of Powers.
		(3) No condonation will be allowed for purposes of—
		(a) earning higher pension ;
		(b) special additional pension.
		(4) Officials who retire voluntarily will not be entitled to any condonation.
36	Power to sanction ordinary pension and special additional pension as admissible under pension rules.	Full powers in all cases of Gazetted Officers below Deputy Director, subject to a report from the Accountant-General, East Pakistan.
37	Power to count military service towards pension	Full powers subject to a report from the Accountant-General, East Pakistan.
38	Power to sanction commutation of pension.	Full powers in respect of officers and staff appointed by him subject to report of availability of funds from the Finance Department.
39	Power to grant compassionate pension to Government servant removed or discharged from service.	Full powers in respect of non-gazetted staff up to 2/3rd of pension ordinarily admissible.

APPENDIX G

(See rule 5.)

Powers of the Divisional Deputy Directors.

Power of Appointment.

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|---|--|--|
| 1 | Power to appoint Government servants to officiate in two or more vacant posts. | Full powers in respect of Government servants of whom they are appointing authorities. |
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Medical certificate.

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|---|---|---|
| 2 | Power to dispense with the production of medical certificate. | Full powers in respect of non-gazetted staff provided the Civil Surgeon or a Medical Officer of equal rank certifies that the particular disability will not interfere with the discharge of the specific duties of the Government servant. |
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Honorarium and fee.

- | | | |
|---|--|---|
| 3 | Grant of honoraria | Full powers up to Rs. 250 to each non-gazetted Government servant in a year. |
| 4 | Exemption from crediting a portion of fee to Government. | Full powers up to Rs. 250 in respect of each non-gazetted Government servant in a year. |

Sl. No.	Nature of Powers.	Extent of Powers.
<i>Additional Pay.</i>		
5	Grant of additional pay to Government servant performing duties of more than one post.	<p>Full powers in respect of non-gazetted staff, subject to the following conditions—</p> <ol style="list-style-type: none"> (1) Formal appointment order for the second post exists and the Officer is fully qualified to hold the second post. (2) The additional pay does not exceed 20 per cent. of the presumptive pay of the second post of Rs. 200 per month, whichever is less. (3) No additional pay is allowed for holding a post of equal rank. (4) No additional pay is allowed for holding an inferior post. (5) For holding additional charge of a superior post the Officer will have the option of— <ol style="list-style-type: none"> (a) drawing the pay of the higher post, or (b) drawing pay in the inferior post plus 20 per cent. of the presumptive pay of the second post. (6) Additional pay is not sanctioned for a period exceeding 3 months. (7) No additional pay is allowed for a third post. (8) No additional pay is allowed in respect of a newly created post. (9) No additional pay is given where the period of dual charge is less than 3 weeks.
<i>Foreign Service.</i>		
6	Transfer of Government servants to Foreign Service.	<p>Full powers in respect of non-gazetted staff appointed by him, subject to the following conditions:—</p> <ol style="list-style-type: none"> (1) The foreign employer is a local body or an authority set up by Government or in case of Co-operative Department an approved Co-operative Society or in case of Education Department an approved aided educational institution.

Sl. No.	Nature of Powers.	Extent of Powers.
		<p>(2) The cases of transfer of Government servants to Foreign Service in which it is proposed to sanction pay and allowances in excess of those which the Government Servant would draw if he was in Government service or in which it is proposed to give any other concession of pecuniary value, should be referred to the Foreign Service Committee constituted by Resolution No. F/LA/2A-50/59/131, dated the 5th April, 1961, for concurrence, before the terms and conditions of transfer to Foreign Service are sanctioned.</p> <p>(3) Compensatory allowances do not substantially differ in nature or amount from what is admissible under Government.</p> <p>(4) Leave and pension contributions are recovered.</p>
7	Power to decide the date of reversion from Foreign Service.	Full powers in respect of non-gazetted staff appointed by him.
	<i>Relaxation of age limit.</i>	
8	Condition of over-age.	.. Up to 3 years for non-gazetted Government servants.
	<i>Re-employment.</i>	
9	Re-employment of Government servants	.. Up to 60 years in respect of non-gazetted Government servants appointed by him subject to physical fitness.
	<i>Transfer and Posting.</i>	
10	Transfer and posting of officers	.. Full powers for transferring within the division, except in respect of officers holding charge of district.
	<i>Travelling Allowances.</i>	
11	Relaxation of prescribed time-limit where the family of a transferred Government servant could not join him within 6 months, due to shortage of accommodation, education of children, medical or compassionate grounds.	Full powers in respect of non-gazetted staff.
12	Relaxation of prescribed time-limit where the family could not follow a Government servant granted travelling allowance concession during leave, within a period of one month on medical grounds, or due to private affairs.	Full powers in respect of non-gazetted staff.

Sl. No.	Nature of Powers	Extent of Powers.
13	Grant of daily allowance for compulsory halt due to dislocation of communications.	Full powers in respect of non-gazetted staff.
14	Power to sanction travelling allowance for Government servants compelled to answer civil or criminal charges in connection with official duties.	Full powers in respect of non-gazetted staff.
15	Power to sanction travelling allowance in case where a suspended Government servant is required to make a journey for attending departmental enquiry.	Full powers in respect of non-gazetted staff.
16	Power to grant exemption from rule limiting halt on tour to 10 days.	Full powers in respect of non-gazetted staff.
<i>Leave.</i>		
17	Power to accept certificate of fitness signed by any registered medical practitioner.	Full powers.
<i>Provident Funds.</i>		
18	Grant of second advance from various Provident Funds to Government servants.	Full powers up to 2 advances for non-gazetted Government servants.
19	Permission to increase the number of instalments beyond 24.	Full powers up to 48 instalments in respect of non-gazetted staff.
20	Authorisation of the final payment of fund dues of deceased Government servants to the members of his family dispensing with the production of succession certificate and guardianship certificate in the case of minor heirs.	Full powers in respect of non-gazetted Government servants, subject to production of an indemnity bond, if the share of each is Rs.100 or less.
21	Question of deciding the real legal heirs in case where there is no nomination or the nomination is incorrect or invalid.	Full powers in respect of non-gazetted Government servants in consultation with Government pleader.
<i>Pension.</i>		
22	Condonation of interruption of service for pension.	Full powers in respect of non-gazetted Government servants.
23	Condonation of deficiency in qualifying service for pension.	<p data-bbox="659 987 1106 1058">Full powers up to 6 months, in respect of non-gazetted Government servants provided that—</p> <p data-bbox="683 1061 1106 1132">(1) (a) the official would not earn ordinary pension but for condonation, (b) the official has served meritoriously;</p> <p data-bbox="659 1135 1106 1207">(2) Condonation up to 12 months may be allowed provided that in addition to the above two conditions the official has—</p> <p data-bbox="683 1210 1106 1257">(i) other non-qualifying service to his credit, or</p> <p data-bbox="683 1260 1106 1331">(ii) the official has retired prematurely due to medical reasons or abolition of the post.</p> <p data-bbox="653 1334 1106 1381">(3) No condonation will be allowed for purposes of—</p> <p data-bbox="683 1384 953 1406">(a) earning higher pension.</p> <p data-bbox="683 1409 977 1431">(b) special additional pension.</p> <p data-bbox="653 1434 1106 1472">(4) Official who retire voluntarily will not be entitled to any condonation.</p>

APPENDIX H

(See rule 6.)

Powers of the appointing authorities other than Administrative Departments, Heads of Directorates and Divisional Deputy Directors.

Sl. No.	Nature of Powers.	Extent of Powers.
<i>Powers of Appointment.</i>		
1	Power to appoint Government servants to officiate in two or more vacant posts.	Full powers.
<i>Medical Certificate.</i>		
2	Power to dispense with the production of medical certificate.	Full powers provided the Civil Surgeon or a Medical Officer of equal rank certifies that the particular disability will not interfere with the discharge of the specific duties of the Government servants.
<i>Pay and Allowances.</i>		
3	Initial fixation of pay of Government servants in accordance with the rules or the relaxation provided for in the rules.	
	Power to reduce emoluments of officiating Government Servants.	Full powers.
<i>Increments.</i>		
4	Power to permit extraordinary leave to count for increment.	Full powers.
<i>Honorarium and Fee.</i>		
5	Grant of honoraria	Up to Rs.100 to each Government servant
6	Exemption from crediting a portion of fee to Government.	Full powers when the fee does not exceed Rs.100 per annum.
<i>Foreign Service.</i>		
7	Transfer of Government Servant's Foreign Service.	Full powers subject to the following conditions— (1) the foreign employer is a local body or an authority set up by Government, or, in case of Co-operative Department an approved Co-operative Society, or, in case of Education Department an approved aided educational institution. (2) the cases of transfer of Government servants to Foreign Service in which it is proposed to sanction pay and allowances in excess of those which the Government servant would draw if he was in Government service or in which it is proposed to give any other concession of pecuniary value, should be referred to the Foreign Service Committee constituted by Resolution No. F/LA/2A-50/59/131, dated the 5th April 1961 for concurrence, before the terms and conditions of transfer to Foreign Service are sanctioned.

Sl. No.	Nature of Powers.	Extent of Powers.
		(3) Compensatory allowances do not substantially differ in nature or amount from what is admissible under Government.
		(4) leave and pension contribution are recovered.
8	Power to decide the date of reversion from service.	Full powers.
9	Power to grant <i>pro forma</i> promotion to Government servants in Foreign Service.	Full powers.
<i>Re-employment.</i>		
10	Re-employment of Government servants ..	Up to 60 years subject to physical fitness of the Government servant.
<i>Transfer and Posting.</i>		
11	Transfer and posting of officers ..	Full powers.
<i>Transfer of Charge.</i>		
12	Power to allow making or taking over charge at a place other than headquarters.	Full powers.
13	Power to permit relieving officers to be absent at the time of making over charge.	Full powers.
<i>Travelling Allowances.</i>		
14	Power to sanction travelling allowance for Government servants compelled to answer civil or criminal charges in connection with official duties.	Full powers.
15	Power to sanction travelling allowance in cases where a suspended Government servant is required to undertake a journey for attending departmental enquiry.	Full powers.
<i>Leave.</i>		
16	Power to accept certificate of fitness signed by any registered Medical Practitioner.	Full powers.
17	Power to sanction ordinary pension, and special additional pension as admissible under the rule.	Full powers, subject to a report from the Accountant-General, East Pakistan.
18	Power to count military service towards pension	Full powers subject to a report from the Accountant-General, East Pakistan.
19	Power to sanction commutation of pension	Full powers subject to a report of availability of funds from the Finance Department.

APPENDIX I

(See rule 7.)

Power of the Transferring Authorities.

Sl. No.	Nature of Powers.	Extent of Powers.
<i>Transfer and Posting.</i>		
1	Transfer and posting of officers	Full powers
<i>Transfer of Charge.</i>		
2	Power to allow making or taking over charge at a place other than headquarters.	Full powers.
3	Powers to permit relieving officers to be absent at the time of making over charge.	Full powers.
<i>Travelling Allowances.</i>		
4	Power to sanction travelling allowance by air in machines of Public Air Transport Companies regularly plying for hire.	Full powers where the air fare is less than the expenditure on travelling allowance by surface routes.

APPENDIX J

(See rule 8.)

Powers of "Other Officers".*Travelling Allowance.*

1	Relaxation of prescribed time-limit where the family of a transferred Government servant could not join him within 6 months, due to shortage of accommodation, education of children, medical and compassionate grounds.	Full powers in respect of non-gazetted Government servants appointed by them.
2	Relaxation of prescribed time-limit where the family could not follow a Government servant granted travelling allowance concession during leave within a period of one month on medical grounds or due to private affairs.	Full powers in respect of non-gazetted Government servants appointed by them.
3	Power to grant exemption from rule limiting halt on tour to 10 days.	Full powers in respect of non-gazetted staff under their control.

APPENDIX No. 14.

Revised Pension Rules and Rates and Retirement Benefits.

SECTION I

GOVERNMENT OF EAST PAKISTAN

FINANCE DEPARTMENT

(Implementation Unit)

MEMORANDUM

No. F/IU-12/66/93, dated the 2nd September, 1966.

SUBJECT—*Revision of Pension Rules and Rates—Recommendations of the Pay and Services Commission.*

The undersigned is directed to say that the Government have had under consideration the recommendations of the Pay and Services Commission relating to pension. The Governor has now been pleased to take the decisions stated in the succeeding paragraphs, which shall take effect on and from the 1st July, 1966:—

2. Amount of pension for permanent Government servants—In the case of Government servants employed in a substantive and permanent capacity in pensionable service, the amount of ordinary and special additional pensions shall be regulated as follows:—

- (1) If a Government servant retires or is selected for discharge owing to the abolition of his permanent post, after completing qualifying service of 5 years but less than 10 years, he may be granted a gratuity not exceeding one month's emoluments for each completed year of qualifying service, subject to a maximum of Rs.12,500. If such a Government servant has completed qualifying service of 10 years or more at the time of his retirement or discharge, as the case may be, he may be granted an ordinary pension not exceeding an amount calculated in accordance with the scale given in the New Pension Table annexed to this Memorandum and subject to the conditions and maxima laid down therein. The New Pension Table shall regulate all the four kinds of pensions, namely, Compension Pension, Invalid Pension, Superannuation Pension and Retiring Pension.
- (2) Notwithstanding the provisions of sub-paragraph (1), an officer of the (former) Indian Civil Service, who has been 25 years in the Service and who has rendered 21 years active service, shall, on his resignation of the service being accepted, be entitled to an ordinary pension of Rs.13,333.34 per annum.
- (3) Government servants who have rendered service on a pay [as defined in rule 5(4) of East Bengal Service Rules, Part I] exceeding Rs.3,000 per month, may, in addition to the ordinary pension, be granted a special additional pension or pensions at the rates and subject to the maximum limits laid in the New Pension Table.

3. Amount of pension for temporary Government servants—A Government servant in pensionable service, who is not employed in a substantive and permanent capacity, may be granted an ordinary pension of gratuity, as the case may be, in accordance with the provisions of paragraph 2 (1), if he retires from service, or if he is discharged after completing qualifying service of 25 years or more, owing to the abolition of his post or replacement by a "qualified" candidate. If such a Government servant is discharged after completing 10 years but less than 25 years' qualifying service, he may be granted a gratuity not exceeding one month's emoluments for each completed year of qualifying service, subject to a maximum of Rs.25,000.

4. Pension-cum-Gratuity scheme—Subject to the provisions of paragraph 2 (1), as regards the scale and amount of gratuity admissible for a qualifying service of 5 years but less than 10 years, the existing provisions of the Pension-cum-Gratuity Scheme, 1954, introduced under this Department Memo. No. 3568-F., dated the 12th June, 1954, as amended and amplified from time to time, shall remain in force and apply, until altered, repealed or amended, to all Government servants whose pension is regulated by these orders.

5. **Retiring pension**—Subject to the provision of the Essential Services Maintenance Act, all Government servants shall have the right to retire on a Retiring Pension after completing 25 years' qualifying service; *provided* that a Government servant, who intends to retire before attaining the age of superannuation, shall, at least three months before the date on which he intends to retire, submit a written intimation to the authority which appointed him, indicating the date on which he intends to retire. Such an intimation, once submitted, shall be final and shall not be allowed to be modified or withdrawn.

6. **Service in an autonomous or semi-autonomous body**—For the purpose of grant of pension (including Special Additional Pension) under these orders, the emoluments or pay drawn and the effective service rendered by a Government servant in an autonomous or semi-autonomous body, the authorised capital of which is wholly subscribed by the Central and/or a Provincial Government, in a post-appointment to which is, by law, required to be made, and the salary of which is required to be fixed, by the Central Government or by a Provincial Government shall be treated as the emoluments or pay drawn and effective service rendered, in a post in Government service.

7. **Qualifying service and Emoluments**—For the purpose of grant of ordinary pension under these orders.

(1) Service rendered by a Government servant before attaining the age of 20 years shall not be treated as service qualifying for pension.

(2) a deficiency of six months or less in the qualifying service of a Government servant shall be deemed to have been condoned:

(3) a deficiency of more than six months but less than a year, may be condoned by the competent authority if both the conditions mentioned below were satisfied:—

(a) if the Government servant dies while in service or retires under circumstances beyond his control, such as on invalidation or abolition of his post, and, but for such contingency, he would have completed another year of qualifying service; and

(b) the service rendered by the Government servant was meritorious;

(4) a deficiency of one full year or more shall not be condoned; and

(5) the term "Emoluments", shall mean the emoluments which the Government servant was receiving immediately before his retirement and shall include—

(a) Pay as defined in rule 5(40) of East Bengal Service Rules, Part I;

(b) Special pay granted in terms of rule 5(48) of East Bengal Service Rules, Part I

(c) Technical Pay;

(d) Personal Pay; and

(e) Any other emoluments which may specifically be declared as emoluments reckoning for pension.

8. **Option for Government servants in pensionable service**—(1) Government servants who were in pensionable service on the 1st July, 1966, shall be allowed the option to retain their existing pensionary benefits. This option should be exercised in writing and communicated, in the case of gazetted officers, to the Accounts Officer, and, in the case of non-gazetted Government servants, to the Head of Office, concerned, so as to reach him within six months from the date of issue of this Memorandum. If, on that date, a Government servant is on leave or temporary deputation outside Pakistan, he may exercise his option and communicate it within six months from the date of his return from leave or deputation abroad.

(2) An option exercised by a Government servant under sub-paragraph (1), shall be duly acknowledged by the Accounts Officer or, as the case may be, the Head of Office concerned and placed on the Service record of the Government servant.

(3) An option, once exercised and communicated to the Accounts Officer or the Head of Office, shall be final.

(4) A Government servant who does not exercise and communicate his option within the time-limit prescribed in sub-paragraph (1) shall be deemed to have accepted the new pensionary benefits sanctioned in this Memorandum.

9. **Option from Government servants entitled to Contributory Provident Fund**—(1) Government servants who were in non-pensionable service on the 1st July, 1966, excluding those employed on contract or otherwise for a specified period or term which did not extend to the age of superannuation, and who were entitled to the benefits of a Contributory Provident Fund, shall, unless the amount of the Contributory Provident Fund has been paid, be allowed to opt for the pensionary benefits sanctioned in this Memorandum, in lieu of the existing retirement benefits admissible to them. This option shall be exercised and communicated in the manner, subject to the conditions and within the time-limits, prescribed in sub-paragraphs (1)–(3) of paragraph 8. Those Government servants who do not exercise and communicate their options for the pensionary benefits sanctioned in this Memorandum within the prescribed time-limits, shall not be entitled to the benefits thereof and shall continue on their existing terms.

(2) In the case of those who opt for the pensionary benefits sanctioned in this Memorandum, the amount of the employees' contribution to the Contributory Provident Fund shall be deemed to have subscribed to the General Provident Fund and shall, for all purposes be governed by the rules of that Fund. The service rendered by such Government servants from the date of joining the Contributory Provident Fund, or the date of attaining the age of 20 years, whichever is later, shall, subject to the rules for reckoning qualifying service for pension, count for such service.

10. **Grant of increase in service pensions**—Government servants who retired on or after the 1st December, 1962, but before the 1st July, 1966, shall for the period from the 1st April, 1964 to the 30th June, 1966, be granted the same increase in service pension as was granted to those Government servants who retired before the 1st December, 1962, in accordance with this Department's memo. No. F/1U-11/64/107, dated the 1st June, 1964, as amended from time to time. In the case of those Government servants who have died after the 1st December, 1962, but before the 1st July, 1966, and to whom the Pension-cum-Gratuity Scheme, 1954, was applicable, the family pension for the period from the 1st April, 1964, to the 30th June, 1966, shall be re-fixed after taking into account the pension increase sanctioned in this paragraph.

11. **Revision of existing pensions**—(1) The pension of Government servants who retired before the 1st July, 1966, including family pensions, in course of payment on that date shall, on receipt of application from the pensioner, in accordance with the procedure laid down in the Press Note, dated the 29th August, 1966, already issued by the Accountant-General, East Pakistan (Copy attached) for Central Civilian Pensioners, be revised with effect from the 1st July 1966, according to these orders; provided that, if the existing pension plus the increase in service pension admissible before that date is more than the pension as calculated under these orders, the existing pension plus increase thereon shall continue to be paid. For the purpose of revising the pension under these orders, it shall not be necessary to obtain a revised sanction from the pension sanctioning authority, except in a case where a pension was reduced in terms of rule 246 or rule 348 of the East Bengal Service Rules, Part I.

(2) In the case of existing pensioners, who have already drawn a lumpsum gratuity under the Pension-cum-Gratuity Scheme, 1954, or have received the commuted value of a portion of their pension before the 1st July, 1966, the increase in the gross pension accruing under these orders shall be paid in the shape of monthly pension and no portion of that increase shall be allowed to be commuted or converted into gratuity.

12. **Rate of exchange for payment in Sterling**—All pensions payable under these orders, including the increase in service pension sanctioned in paragraph 10, shall, when payable in Sterling, be converted into Sterling at the official rate of exchange for the time being in force.

13. **Non-admissibility of pension benefits in certain cases**—The pensionary benefits sanctioned in this Memorandum shall not be admissible to pensioners residing in India or to those Pakistani pensioners who have received or are entitled to receive increases under the British Acts.

14. **Application of existing rules and orders**—In any matter in respect of which no provision has been made in these orders, the existing provisions of the rules and orders regulating grant of pension shall continue to apply until altered, repealed or amended; provided that for the purpose of the grant of Special Additional Pension under these orders, the provisions of clauses (1) and (7) of rule 354 of the East Bengal Service Rules, Part I, shall not apply.

15. Necessary amendments to the rules shall be made in due course.

K. MAHMOOD,
Secretary to the Government of
East Pakistan,
Finance Department.

Annexure of the Finance Department.

Memorandum No. F/1U-12/66/93, dated the 2nd September, 1966.

NEW PENSION TABLE**I—Ordinary Pension:**

Completed years of qualifying service. (1)	Scale of pension expressed as fractions of average emoluments. (2)	Maximum limit of pension per month. (3)
10	10/50	250
11	11/50	275
12	12/50	300
13	13/50	325
14	14/50	350
15	15/50	375
16	16/50	430
17	17/50	485
18	18/50	540
19	19/50	595
20	20/50	650
21	21/50	695
22	22/50	740
23	23/50	785
24	24/50	830
25	25/50	875
26	26/50	900
27	27/50	925
28	28/50	950
29	29/50	975
30 and above	30/50	1,000

Note—Any amount in excess of Rs. 600 per month calculated in accordance with the scale shown in column (2) of this Table shall be reduced by 50 per cent. and the maximum limits shown in column (3) shall be applied thereafter.

II Special Additional Pension:

- (1) **Special Additional Pension Grade III**—Rs.25 per month for each completed year of effective service on a pay exceeding Rs.3,000 per month but not exceeding Rs.3,250 per month, subject to a maximum of Rs.125 per month.
- (2) **Special Additional Pension Grade II**—Rs.45 per month for each completed year of effective service on a pay exceeding Rs.3,250 per month but not exceeding Rs.3,500 per month, subject to a maximum of Rs.225 per month.
- (3) **Special Additional Pension Grade I**—Rs.70 per month for each completed year of effective service on a pay exceeding Rs.3,500 per month, subject to a maximum of Rs.350 per month.

Note—The combined maximum of Special Additional Pensions Grade II shall be Rs. 225 per month and the combined maximum of Special Additional Pension of all the three Grades shall be Rs. 350 per month.

PRESS NOTE

REVISED PENSION RULES

Data for Recalculation; invited by Accountant-General.

The Government of Pakistan have decided to revise the pension rules in respect of the Civilian Central Government servants with effect from July 1, 1966. The new pension rules would apply to those Central Government servants also who have retired before July 1, 1966. These would comprise—

- (i) Pensioners who are drawing pension exceeding Rs.500 per month (gross) (no *ad hoc* increase was granted to them).
- (ii) Government servants who retired before December 1, 1962, and were drawing pensions not exceeding Rs.500 per month (gross) and were granted an *ad hoc* increase in pension with effect from 1st April 1964.
- (iii) Government servants who retired on or after December 1, 1962 before July 1, 1966 and were drawing pensions not exceeding Rs.500 per month (gross) but were not granted an *ad hoc* increase in pension.

The pension of the Government servants in category (i) above would be recalculated with effect from July 1, 1966, on the basis of the new pension rules.

In the case of Government servants falling in category (ii) above, pensions of the existing pensioners will be recalculated with effect from the 1st July, 1966 on the basis of the new pension rules. In cases where the pensions as fixed is less than the existing pension *plus ad hoc* increase, the existing pension *plus ad hoc* increase will continue to be paid to the pensioners.

In the case of category (iii) above, the pensioners will in respect of the period from April 1, 1964 to June 30, 1966 be granted the same *ad hoc* increase as was allowed to pre-December, 1962 pensioners. With effect from July 1, 1966 their pension will also be recalculated in accordance with new pension rules and in cases where the pension as refixed is less than the existing pension *plus ad hoc* increase, the existing pension *plus ad hoc* increase will continue to be paid to be pensioners.

All civilian pensioners of the Central Government relating to the East Pakistan Circle have been requested to furnish the following information to the office of the Accountant-General, East Pakistan, Dacca, to enable that office to recalculate the pensions:

- (1) Name of applicant (in block letters).
- (2) Father's name (in block letters) ..
- (3) Date of birth of the applicant ..
- (4) Post held on the date of retirement
- (5) Name of the Department/Office from which retired.

(6) Date of—

(a) Commencement of service ..

(b) Retirement ..

(7) Length of continuous service, excluding periods of re-employment after retirement.

(8) Broken periods of qualifying service, allowed to count for pension.

(9) Deficiencies in service condoned, if any.

(10) Periods of War Service, if any ..

(11) Period of leave without pay taken during the entire services, if any,

(12) Periods of suspension, if any ..

(13) Pension Payment Order No. on which pension is being drawn.

(14) Amount of—

(a) Monthly pension being drawn

(b) Gratuity

(c) *Ad hoc* increase (if drawn) ..

(15) Amount commuted, if any ..

and

(16) Name of the Treasury/Post Office from which pension is being drawn.

The application forms will be available on payment of ten paise per copy from all Post Offices, Treasuries, Sub-Treasuries and at the Counter of the Office of the Accountant-General, East Pakistan, Dacca.

The application forms duly filled in, may be sent either by registered post or handed over personally during office hours, on any working day, in the Office of the Accountant-General, East Pakistan, Dacca. A special counter has been opened in the Office of the Accountant-General, East Pakistan, Dacca.

GOVERNMENT OF EAST PAKISTAN

FINANCE DEPARTMENT

Implementation Unit.

MEMORANDUM

No. F/1U-12/66/94, dated the 2nd September, 1966

SUBJECT—Civil Pensions (Commutation) Rules.

The undersigned is directed to say that on the recommendation of the Pay and Services Commission, the Government have reconsidered the existing Tables of the present values prescribed under rule 4 of the Civil Pensions (Commutation) Rules, framed under Notification No. 7730-F.B., dated the 7th September, 1959 and the Governor has been pleased to decide that with effect from the 1st July, 1966, and until further orders, the lumpsum payable on commutation under those rules, shall, irrespective of whether the domicile of an officer is Asiatic or non-Asiatic, be calculated in accordance with the Commutation Table annexed to this Memorandum.

K. MAHMOOD,

*Secretary to the Government of
East Pakistan,
Finance Department.*

Annexure to the Finance Department

Memorandum No. F/1U-12/66/94, dated the 2nd September, 1966.

COMMUTATION TABLE

Age next birth day.	Number of years' purchase.	Age next birth day.	Number of years' purchase.
20	24.265	50	15.859
21	24.061	51	15.481
22	23.853	52	15.096
23	23.640	53	14.707
24	23.424	54	14.313
25	23.203	55	13.915
26	22.978	56	13.513
27	22.747	57	13.109
28	22.513	58	12.702
29	22.273	59	12.294
30	22.028	60	11.886
31	21.777	61	11.477
32	21.522	62	11.104
33	21.260	63	10.713
34	20.993	64	10.327
35	20.720	65	9.946
36	20.442	66	9.570
37	20.157	67	9.200
38	19.867	68	8.836
39	19.570	69	8.478
40	19.267	70	8.127
41	18.956	71	7.783
42	18.641	72	7.448
43	18.318	73	7.121
44	17.988	74	6.802
45	17.650	75	6.494
46	17.307	76	6.194
47	16.956	77	5.906
48	16.596	78	5.627
49	16.281	79	5.360
		80	5.104

GOVERNMENT OF EAST PAKISTAN
FINANCE AND REVENUE DEPARTMENT
Audit Branch
MEMORANDUM

No. 3568F, dated Dacca, the 12th June, 1954.

SUBJECT. — *Pension Rules and Retirement benefits.*

Government have been pleased to decide that every Government servant in pensionable service may be given option to retain his existing pensionary rights or elect in lieu thereof the benefits mentioned below by surrendering 1/4th of the pension admissible to him under the existing rules :

(i) In the case of an officer who has rendered 5 years or more but less than 10 years' qualifying service, a gratuity equal to 10 months' emoluments subject to a maximum of Rs. 10,000 may be granted to him on retirement or to his family in the case of his death while in service.

(ii) In the event of retirement or death of an officer who has rendered qualifying service for 10 years' or more—

(a) A gratuity payable to him or to his family in the case of his death calculation at the following rates for each rupee of his pension surrendered as mentioned above :

If qualifying service is 10 years or more but less the 15 years.
 Rs. 130.

If qualifying service is 15 years or more but less the 20 years
 Rs. 120.

If qualifying service is 20 years or more but less than 25 years.
 Rs. 110.

If qualifying service is 25 years or more Rs. 100.

plus

(b) In the event of death before retirement payment to his family for 5 years 50 per cent. of pension calculated as in (iii) below and in the case of death after but within 5 years of retirement payment to the family of the reduced pension for the un-expired portion of 5 years.

(iii) In the event of death before retirement pension for the purposes of this orders will be calculated as if the officer retired on invalid pension on the date of death.

2. The existing pension rules shall be modified to the above extent Government servants in service on the date issue of these orders must exercise their option in favour of the existing rights or the above benefits, as the case may be, within a period of 4 months from the date of issue of these orders or before the officer retires from service, whichever is earlier. Government servants joining pensionable service after the date of issue of these orders must exercise the option within 4 months of the date of their joining service. The options, in the case of gazetted officers will be communicated to the Accountant-General, East Pakistan, and in the case of non-gazetted staff to the Heads of their offices and will be recorded in their service books. Option once exercised shall be final.

G. ALI,

*Deputy Secretary,
to the Government of East Bengal.*

GOVERNMENT OF EAST BENGAL
FINANCE AND REVENUE DEPARTMENT

Audit Branch

MEMORANDUM

No. 5770-F, dated Dacca, the 7th August, 1954.

SUBJECT — Pension Rules and Retirement benefits.

In partial modification of para. 2 of this Department memorandum No. 3568-F, dated 12th June, 1954, Government have been pleased to extend the time-limit for exercising the option in favour of the existing pensionary right or the benefit allowed in the memorandum referred to above up to 6 months from the date of issue of the memo. referred to above.

2. It has been further decided that Government servants entering service after the date of issue of the orders, i.e., 12th June, 1954 will not be eligible to exercise the option in terms of the above mentioned memo. In their case, the new pension rules only, will be applicable.

3. It is requested that the above decision may be brought to the notice of all concerned.

G. ALI,

*Deputy Secretary,
to the Government of East Bengal.*

GOVERNMENT OF EAST BENGAL
FINANCE AND REVENUE DEPARTMENT

Audit Branch

MEMORANDUM

No. 5771-F., Dacca, the 7th August, 1954.

SUBJECT—New Pension Rules and Retirement benefits.

The undersigned is directed to refer to this Department Memorandum No. 3568-F., dated the 12th June, 1954 and to state that as this Department have been receiving enquiries from various offices on certain points regarding new pension rules and retirement benefits, the following clarifications are issued for general information. This may be brought to the notice of all concerned :

- (a) The term "pension" used in the Memo. referred to above is intended to denote "monthly pension" and includes also the special additional pension.
- (b) Under the existing rule half of full pension can be commuted and the commutation of pension, subject to general limitation, will continue to be allowed up to half of full pension, i.e., half of total pension including the surrendered portion.
- (c) In the case of Government servants opting for the new scheme, the amount of family pension under para. I(ii) (h) of the office memorandum referred to above in the event of death before retirement will be 50 per cent. of the full pension calculated under Clause (III) thereof.
- (d) The Government servants on leave on the date of issue of the orders should also be required to exercise the option within the prescribed time limit from that date. In case, however, the leave is spent outside Pakistan, the option should be exercised within the time limit commencing from the date of their return to Pakistan.
- (e) The Government servants who fail to exercise their option within the prescribed time limit, should be deemed to have elected to continue to be governed by the pension rules to which they were subject immediately before the date of promulgation of the new pension rules.
- (f) The term "emoluments" for the purpose of the new rules will be as defined in Rule 5(20) of East Bengal Service Rules, Part I.

G. ALI,
Deputy Secretary.

GOVERNMENT OF EAST BENGAL
FINANCE AND REVENUE DEPARTMENT

Audit Branch

NOTIFICATION

No. 6583-F. Dacca the 29th September, 1954.

In exercise of the power conferred by clause (b) of sub-section (2) of section 241 of the Government of India Act, 1935, the Governor is pleased to make the following amendments in the East Bengal Service Rules, Part I, namely :—

Amendment.

Insert the following as a new rule *after* Rule 267 of East Bengal Service Rules, Part I :

"267-A. Notwithstanding anything contained in Rules 264, 266 and 267 of the East Bengal Service Rules, Part I, temporary and officiating service in the case of Government servants who retired on or after the 1st January 1949 or who joined or will join service thereafter, shall count for pension according to the following rules—

- (i) Government servants borne on temporary establishments who have rendered more than 5 years continuous temporary service shall count such service for the purpose of pension or gratuity excluding broken periods of temporary service, if any, rendered previously and
- (ii) temporary and officiating service followed by confirmation which does not qualify for pension under the rules in this section shall also count for pension or gratuity subject to the exclusion of broken periods of temporary or officiating service, if any".

Note—The pension of Government servants who have already retired after the 1st January, 1949 shall be revised under this Rule but the increased pension shall have effect from the 29th September, 1954 or from the date as determined under Rule 450 whichever is later.

By order of the Governor,

H. T. ALI,

*Secretary to the Government of
East Bengal.*

GOVERNMENT OF EAST BENGAL
FINANCE AND REVENUE DEPARTMENT

Audit Branch

MEMORANDUM

No. 6783(95)-F, Dacca, the 13th October, 1954.

SUBJECT—*Pension Rules and Retirement benefits.*

In partial modification of paragraph 1 of this Department Memo No. 5770-F. dated 7th August, 1954, Government have been pleased to extend the time limit for exercising the option in favour of the pensionary right or the benefit allowed in this Department Memo. No. 3568-F' dated 12th June, 1954 up to 31st December, 1954.

V. A. JAFAREY,
Deputy Secretary.

GOVERNMENT OF EAST BENGAL
FINANCE AND REVENUE DEPARTMENT

Audit Branch

MEMORANDUM

No. 7630-F. Dacca the 30th November, 1954.

SUBJECT—*New Pension Rules and Retirement benefits.*

In supersession of this Department Memo. No. 5771-F., dated 7th August, 1954, the undersigned is directed to issue the following clarifications relating to the new pensionary benefits declared in this Department Memo No. 3567-F., dated 12th June, 1954 for general information. This may be brought to the notice of all concerned :

- (a) The term "Pension" used in the Memo. referred to above is intended to denote "monthly pension" and includes also the special additional pension.
- (b) Under the existing rule half of full pension can be commuted and the commutation of pension, subject to general limitation, will continue to be allowed up to half of full pension, i.e., half of total pension including the surrendered portion. The commutation will, thus, be

allowed up to $\frac{1}{2}$ of full pension and this half is to include the surrendered portion so that the uncommuted portion remains within the same limit as under the pre-existing rules. The following example will illustrate the correct interpretation of the orders :

	Rs.
Full pension	600
Surrendered portion	150
Maximum amount to be commuted under the pensions (Commutation) Rules.	150

- (c) In the case of Government servants opting for the new scheme the amount of family pension under para. 1(ii) (b) of the office memorandum No. 3568-F., dated 12th June, 1954 referred to above in the event of death before retirement will be 50 per cent. of the full pension calculated under clause (III) thereof and in the event of death after but within 5 years of retirement, 50 per cent. of the 'reduced pension' for the un-expired portion of 5 years, i.e., 50 per cent. of the pension remaining after surrendering $\frac{1}{4}$ th thereof under para. I of this Department Memo. No. 3568-F., dated 12th June, 1954.
- (d) The Government servants on leave on the date of issue of the orders should also be required to exercise the option within the prescribed time limit from that date. In case, however, the leave is spent outside Pakistan, the option should be exercised within the time limit commencing from the date of their return to Pakistan.
- (e) The Government servants who fail to exercise their option within the prescribed time limit, should be deemed to have elected to continue to be governed by the pension rules to which they were subject immediately before the date of promulgation of the new pension rules.
- (f) The term "emoluments" for the purpose of the new rules will be as defined in Rule 5(20) of East Bengal Service Rules, Part I.

V. A. JAFAREY,
Deputy Secretary.

**GOVERNMENT OF EAST BENGAL
FINANCE AND REVENUE DEPARTMENT**

Audit Branch

MEMORANDUM

No. 8025(95)-F., Dacca, the 29th December, 1954.

SUBJECT—*New Pension Rules and Retirement benefits.*

The undersigned is directed to refer to this Department Memo. No. 6783(95)-F., dated 13th October, 1954 wherein the time limit for exercising the option in terms of the New Pension Rules was extended up to 31st December, 1954 and Memo. No. 7630-F., dated 30th November, 1954 wherein it was clarified that the amount of pension which in the event of Government servants' death after but within 5 years of retirement is payable to the family for the unexpired portion of 5 years will be 50 per cent. of the pension remaining after surrendering 1/4th thereof under paragraph 1(b) of this Department Memo. No. 3568-F., dated 12th June, 1954.

2. It has been represented that certain Government servants exercise their option to elect the benefits admissible under the Memo. No. 3568-F., dated 12th June, 1954 under the belief that the reduced pension will be given to the family in full and that as the intention of the orders was to give only one half of it, they should be given an opportunity to revise their option in the light of the above clarification. It has accordingly been decided to extend the time limit for exercising the option up to 28th February, 1955.

N. HUQ,
Assistant Secretary.

**GOVERNMENT OF EAST BENGAL
FINANCE DEPARTMENT**

MEMORANDUM

No. 2522(95)-F, Dacca, the 1st April, 1955.

SUBJECT—*New Pension Rules and Retirement benefits.*

The undersigned is directed to invite a reference to paragraph 2 of this Department Memo No. 8025(95)-F, dated 29th December, 1954 on the subject noted above and to state that it has since been decided by Government to extend the time limit for exercising the option under this Department Memo. No. 3568-F., dated 12th June, 1954 for a further period up to 30th June, 1955.

N. HUQ,
Assistant Secretary.

GOVERNMENT OF EAST BENGAL
FINANCE DEPARTMENT

MEMORANDUM

No. 6414(95)-F., Dacca, the 27th September, 1955.

SUBJECT— New Pension Rules and Retirement benefits.

The undersigned is directed to invite a reference to this Department Memo. No. 2522(95)-F., dated 1st April, 1955 on the subject noted above and to state that it has since been decided to extend the time limit for exercising option under this Department Memo. No. 3568-F. dated 12th June, 1954 for a further period up to 31st December, 1955.

N. HUQ,

Assistant Secretary.

GOVERNMENT OF EAST BENGAL
FINANCE AND REVENUE DEPARTMENT

Audit Branch

MEMORANDUM

No. 6505(25)-F., dated 3rd October, 1955.

SUBJECT— New Pension Rules and Retirement benefits.

A question has arisen whether temporary Government servants are required to exercise option in favour of the "Existing" pensionary right or to the benefits sanctioning in this Department Memorandum No. 3568-F., dated 12th June, 1954.

The undersigned is directed to state that in paragraph 2 of this Department Memo. No. 5770-F., dated 7th August, 1954 it has been decided that the Government servants entering service (i.e. pensionable service) after the date of sanctioning the new pensionary benefit are not eligible to exercise option in respect of the "existing" pensionary rights. In their case the new pension rules only will be applicable. The temporary and officiating service will now count towards pension under this Department notification No. 6583-F., dated 22nd September, 1954 i.e., after the sanction of the New Pension Rules and Retirement benefits. As such temporary Government servants who were in service on 29th September, 1954 and who were appointed subsequently are not required to exercise option in as much as such temporary Government servants should be considered to have entered pensionable service after 12th June, 1954. They, therefore, automatically come under the New Pension Rules and Retirement benefits.

N. HUQ,

*Assistant Secretary to the
Government of East Bengal.*

GOVERNMENT OF EAST BENGAL
FINANCE DEPARTMENT
MEMORANDUM

No. 310(95)-F., Dacca, the 20th January, 1956.

SUBJECT— *New Pension Rules and Retirement benefits.*

Reference— This Department Memo. No. 6414(95)-F., dated 27th September, 1955.

The undersigned is directed to state that Government have been pleased to extend the time limit for exercising option under this Department Memo. No. 3568-F., dated 12th June, 1954 for a further period for six months ending on 30th June, 1956.

N. HUQ,
Assistant Secretary.

GOVERNMENT OF EAST PAKISTAN
FINANCE DEPARTMENT
MEMORANDUM

No. 5775(95)-F., Dacca, the 26th July, 1956.

SUBJECT— *New Pension Rules and Retirement benefits.*

Reference— This Department Memo. No. 310(95)-F., dated 20th January, 1956.

The undersigned is directed to state that Government have been pleased to extend the time limit for exercising option under this Department Memo. No. 3568-F., dated 12th June, 1954 for a further period of six months ending on 31st December, 1956.

N. HUQ,
Assistant Secretary.

GOVERNMENT OF EAST PAKISTAN
FINANCE AND REVENUE DEPARTMENT

Audit Branch

MEMORANDUM

No. 2954(105)-F., Dacca, the 16th April, 1957.

SUBJECT—*New Pension Rules and Retirement benefits.*

Reference—This Department Memo. No. 5775(95)-F., dated 26th July, 1956.

The undersigned is directed to state that Government have been pleased to extend the time limit for exercising option under this Department Memo. No. 3568-F., dated 12th June, 1954 for a further period of six months ending on 30th June, 1957.

N. HUQ,

Assistant Secretary.

GOVERNMENT OF EAST PAKISTAN
FINANCE AND REVENUE DEPARTMENT

Audit Branch

MEMORANDUM

No. 6457(112)-F., Dacca, the 30th August, 1957.

SUBJECT—*New Pension Rules and Retirement benefits.*

Reference—This Department Memo. No. 2954(105)-F., dated 16th April, 1957.

The undersigned is directed to state that Government have been pleased to extend the time limit for exercising option under this Department Memo. No. 3568-F., dated the 12th June, 1954 for a further period for six months ending on 31st December, 1957.

N. HUQ,

*Assistant Secretary to the
Government of East Pakistan.*

**GOVERNMENT OF EAST PAKISTAN
FINANCE AND REVENUE DEPARTMENT**

Audit Branch

MEMORANDUM

No. 7008(112)-F., Dacca, the 28th September, 1957.

SUBJECT—New Pension Rules and Retirement benefits.

The undersigned is directed to invite a reference to this Department Memo. No. 3568-F., dated the 12th June, 1954 on the subject quoted above and to say that Government have been pleased to decline that the rates for calculation of gratuity laid down on paragraph I (a) of the Memo. shall be revised as shown below —

	Rs.
(1) If qualifying service is 10 years or more but less than 15 years	140
(2) If qualifying service is 15 years or more but less than 20 years	130
(3) If qualifying service is 20 years or more	120

2. These orders will take effect from the 1st of July, 1957. The revised rates mentioned above will not apply in the case of Government servants who retired or died before that date.

3. It has also been decided that Government servants who elected to continue under their existing pension rules, in terms of the option given in paragraph 1(1) of this Government memo. referred to above, may, if they so desire, revise their option and elect the benefits sanctioned in that memo. by surrendering 1/4th of the pension admissible to them under their existing pension rules. The revised option should be exercised within the prescribed time limit which at present runs up to 31st December, 1957. The option in the case of Gazetted Officers will be communicated to the Accountant-General, East Pakistan and in the case of non-Gazetted staff to the Heads of their Offices and will be recorded in their service books. Option once exercised shall be final.

N. HUQ,

*Assistant Secretary to the
Government of East Pakistan.*

To

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GOVERNMENT OF EAST PAKISTAN
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

Regulation Branch

Section IV

MEMORANDUM

No. S. & G.A. (RIV) 1P-15/70-160, dated Dacca, the 6th April, 1970.

SUBJECT—*Pension Rules and Retirement benefits.*

The undersigned is directed to invite a reference to the Finance Department memo. No. 3568-F., dated 12th June, 1954 regarding pension-cum-gratuity scheme and to say that the Governor has been pleased to decide that the existing rates for the calculation of gratuity as revised under Finance Department Memorandum No. 708 (112)F., dated 28th September, 1957 shall be further revised as shown below:—..

	Rs.
(1) If qualifying service is 10 years or more but less than 15 years	187
(2) If qualifying service is 15 years or more but less than 20 years	173
(3) If qualifying service is 20 years or more	160

These orders will take effect from 1st January, 1970. The above rates will not apply to Government servants who retired or died before that date.

L. R. KHAN,
Deputy Secretary.
Government of East Pakistan.

GOVERNMENT OF EAST PAKISTAN
FINANCE AND REVENUE DEPARTMENT

Audit Branch

MEMORANDUM

No. 2566(40)-F., Dacca, the 16th April, 1959

SUBJECT—Pension Rules and Retirement benefits.

The undersigned is directed to invite a reference to this Department Office Memo. No. 3568-F., dated the 12th June, 1954 on the subject noted above and to say that the question as to what should constitute 'family' of a Government servant for the purpose of entitlement of gratuity/pension benefits mentioned therein and what nomination in respect of gratuity and pension can be made by a Government servant have been considered by the Government of East Pakistan. It has now been decided and the Governor is pleased to direct as indicated below :—

SECTION I—Gratuity.

2. (1) The 'Family' for the purpose of payment of death-cum-retirement gratuity shall include the following relatives of the Government servant,

- (a) Wife or wives, in the case of a male Government servant.
- (b) Husband in the case of a female Government servant.
- (c) Children of the Government servant.
- (d) Widow or widows and children of a deceased son of the Government servant.

Note.—(I) A child means a legitimate child. An "adopted child" will be considered to be a child when the Accounts Officer or if any doubt arises in the mind of the Accounts Officer, the recognised legal adviser of Government is satisfied that under the personal laws of the Government servant concerned adoption is legally recognised as conferring the status of a natural child, but in this case only.

Note.—(II) If it is proved that the wife has been judicially separated from the Government servant or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall no longer be deemed to be a member of the family unless the Government servant has himself intimated in writing to the Accounts Officer/Head of the office that she shall continue to be so regarded.

Note.—(III) In the case of female Government servant if the wife intimates in writing to the Accounts Officer/Head of the office that her husband should not be included as a member of the family then he shall no longer be considered a member of the family unless she subsequently cancel in writing her intimation excluding him.

(2) A Government servant shall, as soon as he/she completes 5 years qualifying service, make a nomination, conferring on one or more persons the right to receive any gratuity that may be sanctioned under this Department Office Memo. referred to above and any gratuity which having become admissible to him/her has not been paid to him/her before death.

(3) If a Government servant nominates more persons than one under clause (2) above he/she shall specify in the nomination the amount or share payable to each nominee in such manner as to dispose of the whole amount of the gratuity mentioned therein.

(4) A Government servant may provide in a nomination—

(a) In respect of any specific nominee that in the event of his/her pre-deceasing the Government servant the right conferred upon that nominee in sub-para. (2) above shall pass to such other member or members of the Government servant's family as may be specified in the nomination.

(b) That the nomination shall become void in the event of the happening of a contingency specified therein.

(5) Every nomination shall be in such one of the Forms A and B (enclosed) as may be appropriate in the circumstances of the case.

(6) A Government servant may at any time cancel a nomination by sending a notice in writing to the appropriate authority provided that the Government servant shall, along with such notice, send a fresh nomination made in accordance with this paragraph.

(7) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under sub-para. (4)(a) above or on the occurrence of any event by reason of which the nomination becomes void by reason of sub-para. (4)(b) above, the Government servant shall send to the appropriate authority a notice in writing formally cancelling the nomination together with a fresh nomination made in accordance with this paragraph.

(8) Every nomination made, and every notice of cancellation given, by a Government servant under this paragraph shall be sent by the Government servant to his/her Accounts Officer in the case of a Gazetted Officer and to the Head of his/her office in the case of a non-Gazetted Officer. Immediately on receipt of a nomination from a non-Gazetted Government servant, the Head of the office shall countersign it indicating the date of receipt and keep it in his custody.

(9) Every nomination made and every notice of cancellation given by a Government servant shall, to the extent that it is valid, take effect on the date on which it is received by the authority mentioned in sub-para (8).

3. When the amount of gratuity has become payable to the family it shall be the duty of the Accounts Officer to make payment to the family according to the following procedure:—

(1) When the Government servant leaves a family—

(a) The amount of gratuity or any part thereof to which the nomination relates shall become payable to his/her nominee or nominees in the proportion specified in the nomination.

(b) If no nomination in favour of a member or members of a family subsists or if a nomination relates only to a part of the amount

of the gratuity the whole amount of the gratuity or the part thereof to which the nomination does not relate, shall become payable to the members of his/her family in equal shares:

Provided that no share shall be payable to—

- (i) Sons who have attained the age of 18 years;
- (ii) Sons of a deceased son who have attained the age of 18 years;
- (iii) Married daughters whose husbands are alive;
- (iv) Married daughters of a deceased son whose husbands are alive;

If there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv) above.

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived that Government servant and had been exempted from the operation of the first proviso.

(2) When the Government servant leaves no family the amount of gratuity shall be payable to the following surviving relatives, if any, of the Government servant in equal shares :

- (a) Brothers below the age of 18 years;
- (b) Unmarried and widowed sisters;
- (c) Father; and
- (d) Mother.

4. No gratuity will be payable by Government after the death of a Government servant if he/she does not leave a family as defined in para. 2(i) above or an eligible dependent relative or relatives specified in sub-para. 2 of para. 3 above.

SECTION II—Family Pension.

5. (1) Family for the purpose of payment of pension will be as defined in para. 2(1) above. It will also include the Government servant's relatives mentioned in sub-para. (2) of para 3 above.

(2) (a) A pension sanctioned under this section will be allowed for the support of the family to—

- (i) "Widow or deceased, if the deceased is a male Government servant or to the husband, if the deceased is a female Government servant. If the Government servant had more than one wife, and the number of his surviving widows and children does not exceed 4, the pension shall be divided equally among the surviving widows as children (excluding sons above the age of 18 years and the married daughters). If the number of surviving widows and children together is more than

4. the pension shall be divided in the following manner, *viz.*, that each surviving widow shall get 1/4th of the pension and the balance (if any) shall be divided equally among the surviving children (excluding sons above the age of 18 years and the married daughters).”;

(ii) failing widow or husband as the case may be to the eldest surviving son;

(iii) “failing (i) and (ii) to the eldest surviving unmarried daughter; if the eldest daughter marries or dies, then the next eldest.”;

(iv) failing (i) to (iii) to the eldest widowed daughter;

(v) failing (i) to (iv) to the eldest widowed of a deceased son of the Government servant;

(vi) failing (i) to (v) to the eldest surviving son of a deceased son of the Government servant;

(vii) failing (i) to (vi) to the eldest unmarried daughter of a deceased son of the Government servant;

(viii) failing these to the eldest widowed daughter of a deceased son of the Government servant;

(b) In the event of no pension being payable under clause (a) the pension may be granted:—

(i) To the father;

(ii) failing the father, to the mother;

(iii) failing the father and the mother to the eldest surviving brother below the age of 18.

(iv) “failing (i) to (iii) to the eldest surviving unmarried sister; if the eldest sister marries or dies, then the next eldest”;

(v) failing (i) to (iv) to the eldest surviving widowed sister.

(3) No pension will be payable under this Section—

(a) To a person mentioned in clause (b) of sub-para. (2) of this para, without production of a reasonable proof that such person was dependent on the deceased Government servant for support.

(b) To an unmarried female member of a Government servant's family in the event of her marriage;

(c) To a widowed female member of a Government servant's family in the event of her remarriage;

(d) To the brother of a Government servant on his attaining the age of 18 years;

(e) To a person who is not a member of a Government servant's family.

(4) A pension awarded under this section will not be payable, to more than one member of a Government servant's family at the same time, except as provided for the clause (i) sub-paragraph (2)(a) above.

(5) If a pension awarded under this section ceases to be payable before the expiry of the period up to which it is admissible on account of death or marriage of the recipient or other causes it will be re-granted to the person next lower in order mentioned in sub-para. 2 of this para.

(6) Government have discretion to make such modifications in the mode of allotment or conditions of tenure set forth in clause (2) to (5) above as they may consider desirable to suit the special circumstances of the beneficiaries.

(7) A pension sanctioned under this section will be payable in addition to any extraordinary pension or gratuity that may be granted to the members of a Government servant's family under the existing rules.

(8) As in the case of a grant of an ordinary pension future good conduct of the recipient is an implied condition of every grant of a pension under this section.

SECTION III—General.

6. (i) The existing rules which apply to the grant of ordinary pension will also apply in respect of gratuity and pension that may be sanctioned under sections I and II in so far as such rules are not inconsistent with the provisions of those orders.

(ii) The Government will have the right to effect recovery from a gratuity or pension sanctioned under sections I and II in the same circumstances as recoveries can be effected from ordinary pension.

(iii) A gratuity or pension to the family will be sanctioned under sections I and II by the authority competent to sanction pension to the Government servant concerned after giving due regard to the provisions of rule 348 of East Bengal Service Rules, Part I.

These orders will take effect from the date of issue of this Memorandum. Cases already decided will not be re-opened. The cases occurring before the issue of this order but not yet finalised may also be disposed as far as practicable under the above rules and payments may be made after taking an indemnity bonds with sureties from the recipients to safe-guard Government interest against any possible claims from third parties.

N. HUQ,

*Assistant Secretary to the Government of
East Pakistan.*

To

FORM A

Nomination for Death-cum-Retirement Gratuity.

When the Government servant has family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below, who is a member of my family, and confer on him the right to receive any gratuity that may be sanctioned by the Government in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death:—

Name and address of nominee.	Relationship with Government servant.	Age.	Contingencies on the happening of which the nomination shall become invalid.	Name and relationship of the person, if any to be nominated, whose right shall pass in the event of the nominee predeceasing the Government servant.
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Dated this.....day of.....19....
at.....

Witnesses to signature.

- 1.....
- 2.....

Signature of Government servant.

(To be filled in by the Head of Office in the case of a non-gazetted Government servant.)

Nomination by..... Signature of Head of Office.....
Designation..... Date.....
Office..... Designation.....

FORM B

Nomination for Death-cum-Retirement Gratuity.

When the Government servant has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family, and confer on them the right to receive, to the extent specified below, any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death:—

Name and address of nominee.	Relationship with Government servant.	Age.	Amount of or share of gratuity payable to each.*	Contingencies on the happening of which the nomination shall become valid.	Name, address and relationship of the person, if any to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the Government servant.
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*N.B.—The Government servant should draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Dated the.....day of.....19.....
at.....

Witnesses to Signature.

1.....

2.....

Signature of the Government servant.

**Note—This column should be filled in so as to cover the whole amount of the gratuity.*

(To be filled in by the Head of Office in the case of non-gazetted Government servant).

Nomination by..... Signature of the Head of Office.....

Designation..... Date

Office..... Designation.....

SECTION III

GOVERNMENT OF EAST PAKISTAN

SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

Regulation Branch.

Section IV.

MEMORANDUM

No. S.&G.A. (RIV) IP-107/66/225, dated Dacca, the 19th October, 1966.

SUBJECT—*Speedy finalisation of pensions and other dues of Government servants retiring from services under the Constitution (Sixth Amendment) Act, 1966.*

The undersigned is directed to say that the measures which should be taken in order to ensure expeditious settlement of pensions and other dues of Government servants who will retire from service under the Constitution (Sixth Amendment) Act, 1966, have been under the consideration of the Government.

2. According to the provisions of the Constitution (Sixth Amendment) Act, 1966, the position is as follows:—

- (1) Government servants who have completed the 55th year of their age by the 31st March, 1966 or will complete that age within a period of six months from that date (*i.e.*, by the 30th September, 1966) shall be granted such leave preparatory to retirement as is admissible to them provided that the leave may not extend beyond the date on which they complete the 60th year of their age, and shall retire on the expiry of the leave. They may also be granted extension subject to termination of service at 3 months notice on either side. Detailed instructions for the grant of leave preparatory to retirement to such Government servants have been issued in this Department memo. No. S.&G.A. (RIV) IP-100/66/107, dated 16th May, 1966.
- (2) In other cases (*i.e.*, in cases where the Government servants will attain the age of 55 years after the 30th September, 1966), the age of retirement has been fixed at 55 years, but these Government servants may also be granted extension and they have to be given the leave preparatory to retirement as admissible to them, which may extend beyond the 55th year of their age, but not beyond the completion of the sixtieth year of their age. They shall actually retire on the expiry of the leave. Detailed instructions regarding grant of leave preparatory to retirement to such Government servants were issued in G.O. No. RIII/3L-31/66/285, dated 12th September, 1966.

3. The following matters concerning the Officers/staff in question have to be attended to:—

- (1) They have to be granted the leave preparatory to retirement as admissible to them, under clause (6) of Article 178 of the Constitution as inserted by the Constitution (Sixth Amendment) Act, 1966.

- (2) Their pension cases have to be finalised so as to ensure that they are able to receive their pension/gratuity without delay, when they retire.
- (3) Their Provident Fund accounts have to be brought up-to-date so as to ensure that on application by them payment of provident fund balances is made them promptly.
- (4) Steps have to be taken to ensure that any Government dues outstanding against the Government servants in question are recovered.
4. In order that these matters may be timely attended to the following steps should be taken—
- (1) The Audit office as well as the Departments/Offices should immediately prepare complete lists of gazetted officers.
- (a) who have attained the age of 55 years by 31st March, 1966, and
- (b) who have attained the age of 54 years on 31st March, 1966. Thereafter, similar lists of non-gazetted staff should be prepared by the Departments/Offices concerned.
- (2) The above lists should, *inter alia*, show the following particulars:—
- (a) Date of birth.
- (b) Particulars and amounts of any secured advances (such as House Building Advance, Motor Car Advance, etc.), unsecured advances or other Government dues outstanding against the Government servants concerned on 30th June, 1966. The outstanding amount of each such advance should be shown separately.
- (c) Current General Provident Fund Account number allotted by the Accounts Office.
- (d) Full particulars of General Provident Fund advances outstanding against the Government servants.
- (e) Full particulars of insurance premia paid during last 12 months from the General Provident Fund and details relating to the policy/policies in respect of which premium has been paid.
- (f) In the case of officers and staff who are on foreign service, it should be stated whether pension/leave salary contributions are being paid; if so, by whom. The name of the Audit Officer concerned should also be mentioned.
- (g) Whether Service Book is available or not. If not, have steps been taken to verify service for purpose of pension ?
- (h) Has pay been refixed in the Revised Prescribed Scale of Pay ?
5. The preparation of the above lists should be started immediately and two copies of the lists prepared by the Departments/offices, complete in all respects, should be sent promptly to the Audit office concerned. One copy of the lists should be returned by the Audit office to the Administrative authority duly checked and verified within one month of its receipt.

3. In addition the following actions should be taken immediately:

(I) For Granting Leave Preparatory to Retirement:

The Audit office should immediately bring the leave accounts of the gazetted officers, whose names have been included in the above lists, up-to-date so that report on the title to leave can be furnished expeditiously to the administrative authority concerned as and when required. Similarly, the Department/offices should also immediately complete the leave accounts of the non-gazetted staff for granting the leave as and when sought by them.

(II) For Finalisation of Pension Cases:

- (1) The Departments/offices should examine the service books of non-gazetted staff, whose names have been included in the above lists, to see whether they are complete in all respects and take steps to complete them if this is not the case. It should be ensured that necessary entries regarding verification of services have been/are completed. The service books duly completed, should be shown to the Government servants concerned and their signatures obtained as prescribed under the rules. In case a Government servant suggests any changes, he should be asked to produce supporting evidence.
- (2) In the case of gazetted officers, the Audit offices should ensure that the History of Service of the Officers included in the lists are brought up-to-date and that the non-gazetted portion of the services of gazetted officers has been/is verified and necessary entries to this effect have been/are made in the History of Service. The Audit office should send a copy of the History sheet to each gazetted officer concerned for confirmation that the particulars of service are correct. If the officer suggests any changes, he should produce supporting evidence.
- (3) In case the service of any Government servant cannot be verified from the records available, immediate necessary action should be taken to verify the service on the basis of collateral evidence. For this purpose the instructions and procedures laid down in the Government of Pakistan, Ministry Finance O.M. No. F.14(8)-RI/50, dated 10th January, 1951 as modified by O.M. of even number, dated 13th May, 1952 (copy enclosed) will apply in the case of Government servants retiring under the Constitution (Sixth Amendment) Act, 1966. In these orders, it is contemplated that the pension of non-gazetted staff only can be sanctioned finally on the basis of verification of service carried out according to the procedure laid down therein. In order to facilitate finalisation of the pension cases of gazetted officers the instructions and procedures laid down in the above referred memorandum should also be adopted in their case.
- (4) In the case of officers who have rendered "foreign service", it should be ascertained whether foreign service contributions have been received. Such contributions are either payable by the borrowing Government/Organisation or by the employee himself. If the contributions have not been received, the following steps should be taken by the Audit office:—
 - (a) The borrowing Government/Organisation should be asked to contribute immediately if they are payable, by them.

- (b) The employee should be asked to pay the contributions if they are payable by him.
- (c) Cases in which borrowing organisation or the Government servant concerned does not pay the foreign service contributions payable by them/him, should be reported to Government. In cases, where the contributions are to be paid by the Government servant himself pension will have to be held up until the payments are made, in other cases, steps should be taken by the Audit office to effect recovery from the borrowing organisation with the assistance of the lending Department, where necessary.
- (5) Preparation of pension papers should be started immediately in the case of Government servants who have attained or will attain the age of 55 years by the 30th September, 1966. Thereafter, the cases of those Government servants who will attain the age of 55 years after the 30th September, 1966, should be taken up.
- (6) In the preparation and processing of the pension papers, the simplified procedure laid down in this Department memo. No.S and G.A.(Pen) IP-36/62/127, dated 9th June, 1966 and memo No. S and G.A.(Pen)IP 36/62/128 of even date which shall have effect from the 1st July,1966 read with memo. No. S.&G.A. (Pen) IP-36/62/283, dated 28th October, 1965, should be adopted.
- (7) If inspite of the above action the pension admissible is not finally determined, in any case, by the date of retirement, anticipatory pension should be sanctioned, pending finalisation of the case.
- (8) In every Department/office one or more officers, depending on the number of Government servants likely to retire, together with the requisite staff, should be put exclusively on the work of preparing pension papers and processing pension/provident fund cases. No other work whatsoever should be given to these officers. Prompt replies should be sent to any references made by the Audit office as regards pension/provident fund cases. Each Audit office will also nominate an officer who should be addressed regarding any delays.
- (9) An extract of chapter XXV—Application for and grant of pension from East Bengal Service Rules, Part I, as amended by notification No. S & G. A. (Pen) IP-40/66/129, dated the 9th June, 1966, is enclosed together with copies of marginally noted Government Orders regarding pension-cum-gratuity scheme of 1954 for ready reference to facilitate speedy disposal of pension cases.

- (1) No. 3568F, dt., 12-6-54.
 (2) No. 7008(112), dt. 28-9-57.
 (3) No. 7630F, dt. 30-11-54.
 (4) No. 5770-F, dt. 7-8-54.
 (5) No. 6457(112), dt. 30-8-57.
 (6) No. 6505(25), dt. 3-10-55.
 (7) No. 2566(40), dt. 16-4-59.
 (8) No. 5771-F, dt. 7-8-54.
 (9) No. 6583F, dt. 29-9-54.
 (10) No. 6783(95)-F, dt. 13-10-54.
 (11) No. 8025(95)-F, dt. 29-12-54.
 (12) No. 2522(95)-F, dt. 1-4-55.
 (13) No. 6414(95)-F dt. 27-9-55.
 (14) No. 310(95)-F, dt. 20-1-56.
 (15) No. 5775 (95)-F, dt. 26-7-56.
 (16) No. 2954(105)-F, dt. 16-4-57.

(III) General Provident Fund:

- (1) After a Government servant has attained the age of 54 years, not more than one refundable General Provident Fund advance should be granted to him and the amount of the advance should be restricted to what is laid down in the rules.
- (2) Insurance policies financed from the General Provident Fund should be traced out by the Audit office and kept readily available for re-assignment in favour of the Government servants when the occasion for such re-assignment arises.
- (3) Nomination papers of Government servants should be traced out by Audit office and kept available should they be needed for finalising payment. In cases, where nominations are not traceable, fresh nomination should be called for by the Audit office. In such cases the subscribers concerned should be instructed to supply fresh nominations to the Audit office.
- (4) General Provident Fund accounts of retiring officers/staff should be brought up-to-date. Wanting credits should be traced and brought to account. In cases in which the missing credits in the Audit office cannot be adjusted by adopting conventional procedure, missing credits should be adjusted on the basis of collateral evidence in respect of General Provident Fund subscriptions pertaining to the period from the 15th August, 1947 to the 30th September, 1966 for completion of the General Provident Fund Accounts of subscriber as early as possible. Full particulars of advances granted from General Provident Fund and repayments made during the last 12 months should be furnished to the Audit office through the authority competent to sanction such advances.

(IV) Outstanding Government Dues:

- (1) The Audit office should take steps to bring the broad-sheets of secured and unsecured advances up-to-date so that it should be possible to determine the outstanding amount of such advances against the retiring Government servants.
- (2) The Audit office should also take action to trace and adjust all the missing recoveries of the above advances. In cases in which the missing recoveries cannot be adjusted through conventional methods, such recoveries should be adjusted on the basis of collateral evidence in respect of the period from the 15th August, 1947 to the 30th September, 1966.
- (3) Recovery of unsecured advances should be ensured by the date the officer retires.
- (4) Cases will, however, arise where secured advances, such as, House building, Motor Conveyance, etc., will remain to be recovered from the Government servants by the date they retire as the period remaining for affecting full recovery is short. Action will have to be

taken to recover the amounts outstanding against him in accordance with the loan agreements and mortgage deeds or according to procedure laid down in Appendix AI of General Provident Fund (East Bengal Services) Rules.

7. In view of the fact that the non-gazetted Government servants have been granted a general extension of service up to the 30th September, 1967, under para. 8 of Chief Secretary's D.O.No. GAIV/66-411(30), dated 3rd May, 1966 action as detailed in the above paragraphs should first be taken in the case of gazetted officers and the cases of non-gazetted staff taken up thereafter.

A. Q. ANSARI,

*Additional Chief Secretary,
to the Government of East Pakistan.*

No. S&GA(RIV)IP-107/66/225/1(250), dated the 19th October, 1966.

Copy forwarded to A.F.A., S&GA Deptt.
for information and necessary action.

M. U. CHAUDHURY,

*Section Officer,
Government of East Pakistan.*

Copy of Office Memorandum from Government of Pakistan, Ministry of Finance, No. F. 14(8)-RI 50, dated the 10th January, 1951, as modified by O.M. of even No., dated the 13th May, 1962.

SUBJECT: *Simplification of the procedure for the verification of service for pension.*

The procedure relating to the preparation of pension papers of Gazetted and non-Gazetted staff is contained in Articles 907 to 926 of the Civil Service Regulations. Before an application for pension is sanctioned, the office of the employee concerned is required to satisfy itself that entries relating to the verification of his service have been duly made in his Service Book. If any portion of his service has not been properly verified, it is necessary to have it verified from the office where he was employed during that period. After verification has been completed pension papers are prepared and sent to the Audit Officer concerned together with the relevant documents. The Audit Officer scrutinizes the pension papers and if they are in order he certifies the amount of pension admissible to the officer concerned. On receipt of this certificate pension is sanctioned by the Head of Office. Abnormal conditions brought about by the Partition have created considerable difficulties in regard to the verification of pensionable service. The Establishment Returns from which particulars of service of the pensioners are verified in Accounts Offices are not available in Pakistan in a very large number of cases. In most cases references have to be made to India for verification of the particulars of service of the pensioners. These references get the lowest priority in the offices concerned in India and the final sanctioning of pensions is thus considerably delayed. The Government of Pakistan have, therefore, decided that in order to facilitate the sanctioning of pensions expeditiously the existing pension rules should be applied with modifications as follows:—

- (A) In cases where a reference to India is made for verification of the service particulars of an officer or for obtaining some other information relevant to the case, a maximum time limit, say 3 months, may be set for necessary enquiries. If the information is not received within that period, it should be collected from the applicant himself and from such other collateral evidence as may be available as for instance certificates given by an officer to his subordinate on his leaving the office and testimony of contemporary Government servants.
- (B) The existing rules require the Audit Officer to check the statement of service as prepared by the departmental officers with the Establishment Returns for verification of:—
 - (i) first year of permanent qualifying service;
 - (ii) the last three years of qualifying service;
 - (iii) one or two intermediate years selected at random; and
 - (iv) the entire service when the Service Book is not forthcoming.

Since Establishment Returns, to the extent required by the rules are not available in Pakistan, it has become impossible for the Audit Officers in Pakistan to carry out this check. The Auditor-General has arranged to obtain from India copies of these Returns but the receipt of the documents will naturally

take time. In the meantime to avoid delay and consequent hardship, Audit Officers are authorised to dispense with this check. Pensions in such cases should be sanctioned on the basis of collateral evidence.

(C) In case of those with military service or foreign service at their credit, verification is required to be made by the Controller of Military Accounts concerned (for Military Service) and by the Audit Officer concerned (for Foreign Service). The Audit Officers are permitted to admit such service as claimed by the retiring Government servant provisionally on the basis of a written statement on the analogy of Article 915(iv), Civil Service Regulations provided that the statement is accepted by the Head of the Office or the Department in which the pensioner was employed. On receipt of necessary verification from India, the service in question will be admitted finally in audit.

(D) The foregoing paragraphs relate to the pension claims in respect of non-gazetted service. In the case of Gazetted service, pending compilation of the History of Service, Audit Officers are authorised to sanction anticipatory pension under Article 922 Civil Service Regulations provisionally on the basis of a written statement of the applicant on the analogy of Article 915(iv), Civil Service Regulation provided that the statement is accepted by the Head of the Department from which the Officer retired. Verification of service will be made as provided under the existing rules before the amount of the pension is finalised.

2. Where no official evidence e.g. Service Book, in support, is available only anticipatory pension should be sanctioned, pending receipt of the requisite evidence from India, after obtaining a declaration specified in Article 922(a), Civil Service Regulations from the person concerned for the refund of any amount which might later on be found to have been paid to him in excess.

3. Within the frame work of the procedure outlined in the previous paragraphs, the Auditor-General or any Accounts Officer authorised by him may vary details on the merits of each case.

4. The revised procedure will for the present apply only to those Central Pensioners who have retired in Pakistan after partition or are due to retire during the current financial year. The question of extending these orders in the case of those who retire thereafter will be considered by this Ministry at the end of the current financial year.

SECTION IV

GOVERNMENT OF EAST PAKISTAN
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

Regulation Branch

Section IV

MEMORANDUM

No. S. & G.A. (Pen) 1P-35/62/283, Dacca, the 28th October, 1965.

SUBJECT—*Expeditious disposal of pension cases.*

The undersigned is directed to say that the question of eliminating delays in the finalisation of pension papers in respect of Government servants has been under consideration of Government for some time past. In this connection, it has been noticed that one of the contributory factors in this respect is the difficulty in verification of qualifying service of the Government servant concerned due to incomplete service records. According to the existing rules, the Head of Office has to prepare the statement of service in the prescribed form of application for pension (form No. 2 of East Bengal Service Rule, Part I), and get it verified by the Audit Officer. For this purpose, the particulars of service of the non-gazetted staff are ascertained from their Service Books. It has been observed that the maintenance of Service Books has been far from satisfactory with the result that protracted correspondence between the Audit Office and Departmental authorities regarding the service particulars often becomes inevitable. In order to obviate the delay thus caused, the Departments/Offices are requested to ensure that the Service Books of the staff are properly maintained as prescribed in rule (39) in section IV of Appendix 8 of East Bengal Service Rules, Part I, and that no entry is allowed to fall in arrears in any case. The annual verification should also be conducted in accordance with the rule in the said Appendix and necessary certificates recorded in the Service Book every year. The attention of the non-gazetted officers serving in Departments/Offices, etc., may also be drawn to the provisions of rule (42) *ibid* and they may be encouraged to inspect their Service Books periodically in order to satisfy themselves about their correct maintenance. This will to a large extent facilitate the preparation of statement of service and verification thereof for pension.

2. Another cause of delay in settling pension cases appears to be the "No-Demand Certificate" which is one of the documents to be furnished with the pension papers to the Audit Officer. It has been reported that it usually takes a very long time to furnish this document. It may be stated in this connection that departmental demands generally arise against an officer due to the advances taken by him for the purchase of conveyance, or for building a house, and also on account of his occupation of Government quarters. Occasionally, there are also cases in which the issue of "No-Demand Certificate" by the Department is held up because some recoveries are due from applicant on account of defalcation, mis-appropriation or misuse of Government funds. In order to obviate delay in the issue of "No-Demand Certificate" due to the causes enumerated above, the following steps should be taken by the administrative authorities concerned:—

- (i) The rules regarding the mortgaging of properties acquired, built or purchased out of Government advances should be strictly enforced;

- (ii) The Departmental authorities, while commencing the preparation of pension papers of a Government servant, should consult the records and see whether any recoveries are due from him on account of misuse of Government funds or losses caused to Government. If there are any such dues, early steps should be taken to complete the recoveries of the dues before the date of retirement. If any disciplinary action in this behalf has to be initiated, this should be done at once so that it may be possible to finalise the case and complete the recoveries before the date of retirement. In case such action has already been initiated, steps should be taken to finalise it as quickly as possible so that recoveries may be completed well in time.
- (iii) At least six months before the Government servant is due to retire, his Department/Office should alert the Estate Office so that his rent account is brought up-to-date and the outstanding dues, if any, are realised before the date of retirement. The Works Department should instruct the Estate Office that the "No-Demand Certificate" should be issued to a retired Government servant, who has been occupying a Government quarter until retirement, as soon as all dues up to the date of retirement have been realized. In case a retired Government servant is allowed to continue in occupation of Government quarter after the date of retirement, the Estate Office should, in future, ensure recovery of rent by obtaining, in addition to two personal sureties of two permanent Government servants drawing a pay of Rs. 500 or above per month, rent for at least one month in advance instead of withholding the "No-Demand Certificate".

3. The pension rules do not authorise withholding of pension, if otherwise payable, due to non-issue of "No-Demand Certificate" in favour of a retired Government servant, and as a further step to eliminate delays in the payment of pension to retired Government servants or their families, the following measures should be taken :—

- (a) Request for furnishing "No-Demand Certificate" should be made to all concerned at least six months before the date of retirement of the Government servant. If any demand is outstanding against the officer, it must be intimated not later than 15 days after the date of retirement (which should be specified in the request for "No-Demand Certificate"). In case the demand is not intimated within the above time-limit the pension should not be held up on that account and the Department/Office which has failed to intimate an outstanding demand by the due date should be held responsible.
- (b) In respect of secured advances, such as house building and conveyance advances, which are given against the security of the house of the conveyance, etc., the retired Government servant should be requested to give his consent to any recoveries due from him being effected from the pension/gratuity payable to him. In case he fails to give such consent, appropriate legal action should be taken to effect the recoveries on the basis of the mortgage deeds executed by him at the time of drawing the advance.
- (c) No unsecured advances, such as advances of pay, travelling allowance, etc., should ordinarily be granted to any Government servant within

six months of the date of his retirement. If any such advance or other Government dues are already outstanding they should be recovered from his pay or leave salary for the six months' period up to the date of his retirement. If for special reasons it becomes necessary to grant an advance of pay, travelling allowance, etc., to any Government servant within six months of his retirement, he should be required to furnish security of a permanent Government servant, who is not due to retire within one year, before the advance is paid to him.

4. If a pension cannot be finalized before the date of retirement of a Government servant, appropriate action should be taken for the grant of anticipatory pension in accordance with Rule 445 of East Bengal Service Rules, Part I. For this purpose, the sanctioning authorities should furnish to the Audit Officer concerned all the information immediately available regarding the officer's service to enable the Audit Officer to sanction the anticipatory pension.

N. HUQ,

*Deputy Secretary,
Government of East Pakistan.*

GOVERNMENT OF EAST PAKISTAN
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

Regulation Branch

Section IV

MEMORANDUM

No. S & GA (Pen) IP-36/62/127, dated Dacca, the 9th June, 1966.

SUBJECT—Procedure for preparation of pension papers.

The undersigned is directed to invite attention to Rule 430 of East Bengal Service Rules, Part I, which enjoins upon all authorities dealing with applications for pension to bear in mind that delay in the payment of pensions involves peculiar hardship and to ensure that pension begins to be received by the pensioner on the date on which it becomes due. It has been represented that inordinate delay usually occurs in the settlement of pension cases. In order to eliminate delay involved in the existing procedure, the Governor has been pleased to order as follows :—

- (i) The Heads of Departments (in the case of Gazetted Officers) and Heads of Offices (in the case of non-gazetted employees) should start the preparation of pension papers in each case at least one year before the anticipated date of retirement without waiting for the formal application from the Government servant concerned which, according to the existing rule, is to be submitted not earlier than six months before the date of retirement. For this purpose, all Departments/Offices should maintain a list showing the dates of retirement of all their officers/employees and this list should be reviewed quarterly. It should also be ensured that all the preliminary enquiries, filling of forms, verification of qualifying service, etc., are completed by the time the officer submits the formal application six months before the date of retirement.
- (ii) The existing form of application for pension (E.B.S.R. Form No. 2) should be replaced by a new compact and self-contained form, a specimen of which is attached. The Head of the Department or Office responsible for initiating the case should start filling in sections (2) to (6) of Part II of the working copy of the form one year before the expected date of retirement. Six months before the date of retirement, the retiring officer should be asked to fill in and sign Part I in a fresh copy of the form and submit it along with the required enclosures mentioned in the last paragraph of the application form. Part I of the working copy should then be filled in by copying form Part I of the signed copy received from the applicant. Similarly sections (2) to (6) of Part II of the signed copy should be filled in by copying from Part II of the working copy. Section (1) of Part II of both the forms should then be filled in. The signed copy should be forwarded to the sanctioning authority after filling in and signing section (7), while the working copy should be retained in the initiating office as an office copy. The form must be

supported by such requisite documents as can be issued before the actual date of retirement. Documents which cannot be issued till the date of retirement, such as the Last Pay Certificate and the No-Demand Certificate, should be sent afterwards separately as expeditiously as possible. If any extra enclosures, such as list of family members, Death Certificates, Medical Certificate for incapacity, etc., are required by the special nature of the case, these should be attached with the form. On receiving the form, the sanctioning authority should fill in section (8) of the form and send it to the Audit Office, along with a forwarding letter, for the issue of Provisional Pension Payment Order in accordance with the revised procedure prescribed in this Department letter No. S & GA (Pen) IP-36/62-128, dated 9th June, 1966, addressed to the Accountant-General, East Pakistan, and copies endorsed to all Departments and Offices.

2. It is requested that the above procedure may be followed by all authorities in sanctioning pensions to, or in respect of, the Government servants, in modification of the rules contained in Chapter XXV of East Bengal Service Rules, Part I.

3. In order that pension papers may be prepared correctly and in time, it has been decided to introduce a system of maintaining emoluments cards by all Gazetted Officers. A sample form of the card along with instruction for maintaining it is being circulated to all concerned separately by Organisation and Methods Branch.

The above order will take effect from the 1st July, 1966.

L. R. KHAN,

*Deputy Secretary,
Government of East Pakistan.*

No. S & G.A. (Pen) IP-36/62/127/1(250), dated the 9th June, 1966.

Copy forwarded to.....
..... for information and necessary action.

M. U. CHOUDHURY,
*Section Officer,
Government of East Pakistan.*

GOVERNMENT OF EAST PAKISTAN
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

Regulation Branch

Section IV

No. S & GA (Pen) IP-36/62/128, dated Dacca, the 9th June, 1966.

FROM—L. R. KHAN, Esq., E.P.C.S., Deputy Secretary,

TO—THE ACCOUNTANT-GENERAL, EAST PAKISTAN.

SUBJECT—Procedure for sanction of pensions.

SIR,

I am directed to say that the question of simplifying the procedure for sanction of pensions has been under the consideration of Government. It has been pointed out in this connection that delay in the finalisation of pension papers arises *inter alia* from the existing procedure for verification of service and submission of report by the Audit Officer to the sanctioning authority before the issue of the Pension Payment Order. This matter has been carefully considered and the Governor has been pleased to direct that the following revised procedure shall be adopted with effect from 1st July, 1966:—

- (i) On completion of the pension papers the Head of the Department/Office will send them to the sanctioning authority who will record his recommendations for the grant of pension against items 3 and 4 of section (7) in Part II of the revised form of application for pension introduced under this Department Memo. No. S. & G.A. (Pen) IP-36/62/127, dated the 9th June, 1966 keeping in view the provisions of rules 348 and 354 of East Bengal Service Rules, Part I. In these recommendations, it should be stated clearly whether the full or a reduced amount of pension/gratuity should be granted. In case it is proposed to recommend the grant of a reduced pension, this should be done after consultation with the Public Service Commission, as required under the existing orders.
- (ii) The sanctioning authority will then forward the papers to the Audit Officer who will verify the statement of service, scrutinize the facts and calculations given in the pension papers and arrive at the correct amounts of pension and gratuity admissible under the rules.
- (iii) The Audit Officer will, thereafter, prepare a provisional Pension Payment Order for the full or reduced amount of pension and gratuity depending upon the recommendations of the sanctioning authority, and issue it in anticipation of formal sanction by the competent authority, not earlier than a fortnight before the date of retirement. The Audit Officer will also prepare the report for the sanctioning authority showing the amounts of pension and gratuity admissible under the rules and also mentioning the date on which the Provisional Pension Payment Order has been, or will be, issued.

(iv) On receipt of the report from the Audit Officer, sanctioning authority will issue a formal sanction and send it to the Audit Officer who will then convert the provisional Pension Payment Order into a final one.

2. Verification of non-gazetted service for pension shall be made under the usual rules in force.

3. Necessary amendments to the rules in Chapter XXV of the East Bengal Service Rules, Part I, are being issued separately.

Your obedient servant,

L. R. KHAN,

Deputy Secretary

Government of East Pakistan.

No. S. & G.A.(Pen) IP-36/62/128/1(250), dated the 9th June 1966.

Copy forwarded to
..... for information
and necessary action.

M. U. CHOUDHURY,

Section Officer

Government of East Pakistan.

GOVERNMENT OF EAST PAKISTAN
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

Regulation Branch

Section IV

MEMORANDUM

No. S.&G.A. (RIV) IP-52/67-131, dated Dacca, the 19th June 1967.

SUBJECT—Expeditious Disposal of Pension Cases.

The undersigned is directed to refer to rule 430 of East Bengal Service Rules, Part I, which enjoins on all authorities dealing with applications for pension to bear in mind that delay in the payment of pensions involves peculiar hardship and that it is essential to ensure, therefore, that a Government servant begins to receive his pension on the date on which it becomes due. With a view to eliminating delays in the disposal of pension cases simplified procedures were introduced with this Department memo. No. S&GA (Pen) IP-36/62-127, dated 9th June, 1966 and letter No. S&GA (Pen) P-36/62-128, dated 9th June, 1966 to Accountant-General, East Pakistan and memo. No. S&GA (Pen) IP-36/62-283, dated 28th October, 1965.

2. However, it appears that cases of delay in the finalisation of pension continue to occur. The question of finding out the precise reasons for such delays and devising ways and means to eliminate them in future has again been considered and it has been observed that a major cause of delay in finalisation of pension cases is the non-observance by the Departments/Offices of the relevant instructions at the appropriate time. It is, therefore, requested that the instructions already issued by this Department are strictly followed. It has also been decided with a view to further simplification of procedure that—

- (i) the preparation of the "Statement of Service" as required in section (2) of Part II of the revised pension form should be dispensed with and section (3) of that form be suitably amplified in order to identify the periods of non-qualifying service,
- (ii) the Audit Officer should issue the final pension payment order in cases where all necessary documents/information are available with Departments/Offices concerned; and
- (iii) the payment of pension should not be held up merely for want of "No-Demand Certificates". Pension may be sanctioned if the pensioner or his family (in the event of his death before retirement) agrees that the demand coming to notice within a period of one year after the issue of the PPO may be recovered from the pension. Failure to intimate recoveries even during this extended period should result in the amount involved being recovered from the official responsible for the delay.

3. The pension form has been amended to incorporate the decisions in the above paragraph. Opportunity has also been taken to incorporate the

changes necessitated by New Pension Scheme introduced with the Finance Department Memo. No. F/IU-12/66/93, dated 2nd September, 1966. A copy of the amended form is attached.

4. The simplified procedures introduced in 1965-66 together with the further simplification envisaged in the preceding paragraphs are considered to be the limit of the simplification exercise. However, simplified procedures themselves will not, as they have not, yield the desired results. They will neither wipe out the existing arrears nor ensure the timely sanction of pensions unless effective steps are taken by all concerned to secure their implementation.

5. Necessary amendment to the relevant rules pursuant to the decisions in paragraph 2 prepage shall be issued in due course.

L. R. KHAN,
Deputy Secretary,
Government of East Pakistan.

No. S&GA (RIV) IP-52/67-131/1 (250), dated Dacca, the 19th June, 1967.

Copy forwarded tofor information and necessary action.

2. The existing new compact and self-contained Form 2—for pension papers introduced with this Department memo. No. S&GA (Pen) IP-36/62-127, dated 9th June, 1966 shall be replaced by a revised Form 2—for pension papers enclosed herewith. The Government Press has been instructed to supply the revised Form to all Departments/Offices. They are, therefore, requested to obtain their requirement from the Government Press on indent.

M. U. CHOUDHURY,
Section Officer,
Government of East Pakistan.

East Pakistan Form No. 2397.

Revised under memo. No. S.& G.A. (Riv.) IP-52/671/31, dated Dacca, the 19th June, 1967.

Form 2—(Revised)

[Rules 435, 436, 439, 441, 442 and 463 (a) of the E.B.S.R., Part I.]

PENSION PAPERS

OF

Mr

.....

.....

INSTRUCTIONS

1. The Head of the Department or Office responsible for initiating the case should start filling in sections (2) to (5) of Part II of the working copy of the form one year before the expected date of retirement.

2. Six months before the date of retirement, the would be pensioner should be asked to fill in and sign Part I in a fresh copy of the form and submit it along with the required enclosures mentioned in the last paragraph of the application for pension.

3. Part I of the working copy should then be filled in by copying from Part I of the signed copy received back from the applicant. Similarly, sections (2) to (5) Part II of the signed copy will be filled in by copying from Part II of the working copy. Section (1) of Part II of both the forms should then be filled in.

4. The signed copy should be forwarded to the sanctioning authority after filling in and signing section (6), while the working copy will be retained in the initiating office as an office copy. If any extra enclosures, such as a list of family members, Death Certificate, invalid Certificate, etc. are required by the special nature of a case, these should be attached with the form sent to the Audit Office.

5. The sanctioning authority should fill in section (7) of the form and send it to the Audit Office along with a forwarding letter.

6. The Audit Officer after scrutinising Parts I and II and arriving at his own findings about the correct length of qualifying service and amounts of Pension and Gratuity admissible, copy the gist of his findings from his working papers into Part III. The form will then be filed as a record of the Audit Office.

7. Before filling in the Form please read rules 244, 430, 431, 435, 436, 437, 438, 439, 440, 441, 442, 443 and 463 of the East Bengal Service Rules, Part I.

FIRST PAGE

PART - I

(To be filled and signed by the applicant himself;)

APPLICATION FOR PENSION AND/OR GRATUITY

To
The

Sir, *have retired

I have the honour to say that I *have been permitted to retire from
*am due to retire

Government service with effect from I, therefore, request that
(date)
the pension admissible under the rules may kindly be sanctioned to me.

2. I declare that I have neither applied*for nor received any pension or gratuity for any portion of this service, nor shall I submit any application hereafter without quoting a reference to this application and to the orders which may be passed on it.

3. Should the amount of the pension and/or gratuity granted to me be afterwards found to be in excess of that to which I am entitled under the rules I hereby undertake to refund any such excess.

4. I wish to draw my pension from the Government-----at.....
*Treasury
*Sub-treasury
.....
(place)

5. The following documents, duly attested, are enclosed---

- (i) Three specimen signature of mine.
- (ii) Three photographs of mine.
- †(iii) Two sets of my thumb and finger impressions on the prescribed form.

Your obedient servant,

(Signature)
(S/o)

Dated
Post held on the date of retirement.
Postal address

*Delete in applicable alternative.

SECOND PAGE

PART-II

(To be completed by the Department/Office receiving the application for Pension).

Section (I)

(To be completed after receiving the pension application.)

- †1. Name of applicant
 - †2. Father's name
 - †3. Nationality
 - †4. Postal address
 - 5. Post held on the date of retirement
 - 6. Date of birth of the applicant
 - *7. Height
 - *8. Marks of identification
 - 9. Date of { commencement of service
 - retirement
 - application for pension
 - 10. Length of service, including interruption, is out of this
the length of non-qualifying service and interruption is
 - 11. Date of commencement and ending of each spell of military service, if any
- | | | | | | | |
|--|------|----|------|----|----|----|
| | From | to | i.e. | Y. | M. | D. |
| | From | to | i.e. | | | |
- Total .. -----

12. Governments under which service has been rendered, in chronological order

			Y.	M.	D.
Government of	From	to	i.e.		
Government of	from	to	i.e.		
Government of	From	to	i.e.		

		Total ..			

- ††13. Class of pension or gratuity applied for.....
- 14. (Average) emoluments
- 15. Proposed ordinary pension
- 16. Proposed special additional pension, if any
- 17. Proposed gratuity
- †18. Place of payment (Government treasury or sub-treasury)
- 19. Date from which pension is to commence

Signature of Head of Office/Department.

†Entries Nos. 1, 2, 3, 4 and 18 should be made in capital letters.

*Not required in the case of gazetted officers.

††If the application is for compensation pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

THIRD PAGE

Section (2)—Calculation of qualifying service.

Y. M. D.

Total length of service, including interruptions
non-qualifying service:—

	From	To	Period		
			Y.	M.	D.
(i) Service rendered below the age of 20 years.					
(ii) Extraordinary leave					
(iii) Suspension not treated as duty or as leave.					
(iv) Periods of breaks in service ..					
(v) Service rendered before break, if break is not condoned.					
(vi) Service forfeited by resignation. ..					
(vii) Unauthorised absence ..					
Total					

Net qualifying service

Add

	From	to	Period.		
			Y.	M.	D.
(i) Periods, if any, of Military Service or War Service allowed to count for pension.					
(ii) Benefit of condonation of deficiency in service.					
(iii) Any other addition to qualifying service.					
Total : ..					

Total qualifying Service

Section (3)—Calculation of ordinary pension*

Statement of emoluments during the last 36 months.

Period.		Duration in month and days.		Monthly rate of emolument.		Amount drawn.	
From	To	M.	D.	Rs.	Ps.	Rs.	Ps.
The totalemoluments for		36	..	Months are		..	..

Therefore, "average emoluments" work out to.....—Rs.....
Rs..... $\times 1/36$.

As the length of qualifying service is.....years, the amount of gross ordinary pension will be. = { Rs.....p.m

Less 1/4th (if the applicant comes under the Pension-cum Gratuity Scheme). = { Rs.....p.m

Amount of net ordinary pension = { Rs.p.m.

Please see 5(20) and Rule 5(4) of the East Pakistan Service Rules, part I, before filling in this section.

FOURTH PAGE

Section (4)—Calculation of Special Additional Pension.

Number of completed years of effective service inyears (A)
*Grade III.

Number of completed years of effective service inyears (B)
†Grade II.

Number of completed years of effective service inyears (C)
††Grade I.

Amount of special additional pension in Grade III Rs.p.m.
(A×25 subject to the maximum of Rs. 125).

Amount of special additional pension in Grade II Rs.....p.m.
(B×45 subject to the maximum of Rs. 225).

Amount of special additional pension in Grade I Rsp.m.
(C×70 subject to the maximum of Rs.350).

Total—Special additional pension admissible after Rs.....p.m.
applying the maximum prescribed in note below.

Less 1/4th (if the applicant comes under the Pension- Rs.....p.m.
cum-Gratuity Scheme).

Amount of net special additional pension .. Rs.....p.m.

Note—The combined maximum of Special Additional Pensions, Grade III and Grade II shall be Rs. 225 p.m. and the combined maximum of Special Additional Pensions of all the three grades shall be Rs. 350 per month.

Total net pension.....

Amount of Net Ordinary Pension ..	Rs
Amount of Net Special Additional Pension ..	Rs
Amount of Total Net Pension ..	Rs

Section (5)—Calculation of gratuity.

Amount of ordinary pension surrendered [see Section (3)]	Rs
Amount of special additional pension surrendered [see Section (4)]	Rs
Total amount surrendered ..	Rs
Length of qualifying service ..	Years
Rate of gratuity for every rupee surrendered ..	Rs. 140/130/120.
Lump sum gratuity admissible ..	Rs.

*For officers drawing pay above Rs.3,000 but not exceeding Rs. 3,250 p.m. at the rate of Rs.25 p.m. for every completed year of effective service.

†For officers drawing pay above Rs.3,250 but not exceeding Rs. 3,500 p.m. at the rate of Rs.45 p.m. for every completed year of effective service.

††For officers drawing pay above Rs.3,500 p.m. at the rate of Rs. 70 p.m. for every completed year of effective service.

FIFTH PAGE

Section (6)—Remarks by Head of Department/Office.

(To be completed only after receiving the pension application.)

1. Character and past conduct of the applicant
2. Remarks regarding any gratuity or pension received by the applicant (see Chapter XXIII of E.P. S.R., Part I).
3. Specific remarks as to whether the service claimed is established and whether it should be admitted for pension or not [see rules 436 (ii) and 441(a) (ii) of E.P.S.R., Part II.]
- *4. Remarks as to Special Additional Pension stating whether or not the service rendered in a qualifying post in Grade III and/or II/or I satisfies the standard of work and conduct required in the special conditions of the post or duty for the grant of full special additional pension.
5. Any other remarks

*Signature of the Head of the
Department/Office.*

Section (7)—Orders of the Sanctioning Authority.

1. The undersigned is satisfied that the service of..... has been wholly satisfactory. The grant of full pension and/or gratuity which the Audit Officer may find to be admissible under the rules is hereby sanctioned.

Please cross out this paragraph with initials, if full pension is not granted.

OR

The undersigned is satisfied that the service of..... has not been wholly satisfactory, and it has been decided that the full pension and/or gratuity found by the Audit Officer to be admissible under the rules should be reduced by the specific amounts or percentages given below:

Please cross out this paragraph with initials, if full pension is granted.

Amount or percentage of reduction in pension

Amount or percentage of reduction in gratuity.....

Sanction is hereby accorded to the grant of pension and/or gratuity as so reduced:

2. The following periods of service of the officer have been approved for the grant of special additional pension under the rules:—

Please refer
this paras
with initials,
when not appli-
cable.

Grade III—

Period of service

Post/Posts held.....

Grade II—

Period of service.....

Post/Posts held.....

Grade I—

Period of service

Post/Posts held

3. The payment of pension and/or gratuity may commence from.....
Before issuing the pension payment order, the Audit Officer may kindly ascertain whether the Last Pay and No Demand Certificates have been received by him. In case "No Demand Certificate" has not been received, the Government servant, as soon as he retires or his family in the event of his death before retirement, may be requested to give his/its consent in writing to any amount outstanding against him on the date of retirement/death being recovered from the pension and/or gratuity in lump sum or in monthly instalments as before retirement/death and recoveries made accordingly.

Signature

Designation

SIXTH PAGE**PART —III***(For use in the Accountant-General's Office.)*

- (I) The calculations contained in the preceding pages have been checked.
- (II) Length of qualifying service accepted in Audit..
- (III) Reasons for difference, if any, between this and the length of qualifying service worked out by the Department.
- (IV) Amount of pension Rs.....
- (V) Reasons for discrepancy , if any, between this amount and that calculated by the Department.
- (VI) Length of effective service in the—
 Grade III.....years.
 Grade II..... years.
 Grade I.....years.
- (VII) Amount of special additional pension .. Rs.....
- (VIII) Reasons for discrepancy, if any, between this amount and that calculated by the Department.
- (IX) Amount of lump sum gratuity .. Rs.....
- (X) Reasons for discrepancy, if any, between this amount and that calculated by the Department.
- (XI) The pension will commence from.....
-

(XII) Allocation of the grant and security -

Pension. Security.

Government of

Government of

Government of

Defence estimates

Total Rs. ..

(XIII) Anticipated pension of Rs. (Rupees)
per month, granted with effect from, vide P.P.O. No.
dated..... under Rule....., East Pakistan Service
Rules, Part I, to be adjusted in the said P.P.O.

(XIV) Amount of original pension estimated .. Ra.....

Assistant Accountant-General,
Assistant Accounts Officer.

1. Checked with the L.P.C. and No Demand Certificate/Written consent vide para 3 of section (7), Part II.
2. P.P.O. issued vide No....., date.....

Assistant Accountant-General,
Assistant Accounts Officer.

U. S. A. Form No. 1

Rule 42(2)

Application for an extraordinary pension (or gratuity) for the family of A B, late a killed in the execution of duty.

Submitted by the

Description of claimant--

- 1. Name and residence, showing village and paragon, etc.
- 2. Age.
- 3. Height.
- 4. Race, caste, or tribe.
- 5. Marks for identification.
- 6. Present occupation and pecuniary circumstances.
- 7. Degree of relationship to deceased.

Description of deceased--

- 8. Name.
- 9. Occupation and service.
- 10. Length of service.
- 11. Pay when killed.
- 12. Nature of injury causing death.
- 13. Amount of pension or gratuity proposed.
- 14. Place of payment.
- 15. Date from which pension is to commence.
- 16. Remarks.--

Name.

Date of birth by Christian era.

Names and ages of surviving kindred of deceased--

- Sons.
- Widows.
- Daughters.
- Father.
- Mother.

Notes--(If the deceased has left no son, widow, daughter, father or mother surviving him, the word "none" or "dead" should be entered opposite to such relative.)

(Place)

(Date)

Signature of Head of Office.

Forms]

E. P. S. R. Form No. 2.
[Rules 435, 436, 439, 441, 442 and 463(a)]

FIRST PAGE

Application for Pension or Gratuity.

- 1. Name of applicant.....
- 2. Father's name.....
- 3. Race, sect and caste.....
- 4. Residence, showing village and pargana.....
- 5. Present or last employment, including name of establishment.....
- 6. Date of beginning of service.....
- 7. Date of ending of service.....
- 7(a) Total period of military service.....
 Date of commencement and end of each period of military service.....
 Amount and nature of any *pension/gratuity* received for.....
 the military service.....
- 7(b). Government under which service has been rendered in order.....
 of employment.....
- 8. Length of service, including interruptions—
 Y. M. D.
 of which superior.....
 in the lower subordinate service.....
 in the non-qualifying and interruptions.....

[Forms

9. Class of pension or gratuity applied for, and cause.....
of application*.....
10. (Average) emoluments or pay.....
11. Proposed pension.....
12. Proposed gratuity.....
13. Date from which pension is to commence.....
14. Place of payment (Government Treasury or Sub-Treasury).....
15. Date of applicant's birth by Christian era*.....
16. Height†.....
17. Markst ‡.....

Thumb and Finger Impression I.

Thumb	Fore-finger	Middle finger	Ring finger	Little finger

18. Date on which the applicant applied for pension.

Signature of Head of Office
Department.

*If the application is for a compensation pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

†If not known exactly, must be stated on the best information or estimate.

‡In the case of European ladies, gazetted Government servants, Government title holders and other persons who may be specially exempted by Government thumb or finger impression and particulars of height and personal marks are not required.

Forms]

SECOND PAGE

History of Service (showing Interruption) of.....

Date of Birth.....

Establishment.	Appointment.	Pay.	Acting allowance.	Date of beginning.	Date of ending.	Period reckoned as service.	Period not reckoned as service.	Remarks.	How verified.	Remarks by the Audit Officer.
					Y. M. D.	Y. M. D.				
					Total period of service.					

THIRD PAGE

Remarks by Head of Office/Department.

1. As to character and past conduct of applicant.
2. Explanation of any suspension or degradation.
3. Regarding any gratuity or pension already received by applicant [see Chapter XXIII.]
4. Any other remarks.
5. Specific opinion of Head of Office/Department whether the service claimed is established and should be admitted or not [see rules 436(ii) and 441 (a) (ii)].
6. Provisional recommendation of the sanctioning authority whether the pension claimed should be admitted or not [see rules 437(c) and 441(c)].

No....., dated19

Certificate and report of the Accountant-General.

Certified that (subject to the remarks recorded below)* qualifying service in Superior grades or in Lower Subordinate Service has been duly proved for..... years.....month.....days; and that a....pension or gratuity not exceeding Rs.....a month is admissible under rule.... The calculations have been duly verified. The pension or gratuity is chargeable to.....and will commence from.....19 .

Attention is invited to rule 348.

As the date of application is later than the date of retirement, the pension may commence from....., the date of the application, or from..... the date of retirement, according as the sanctioning authority directs under rule 490. (This paragraph may be scored out when not required).

Accountant-General.

Note—If the qualifying service is more than sufficient to obtain the maximum pension the certificate may run “duly proved for over.....years” (the number of years entered being that required to earn the maximum pension).

*“In the case of officers who are eligible for the additional pension authorised rule 353/354 the following additions should be made to the usual form of the certificate:—

He has served for $\frac{\text{three years}}{\text{years}}$ as.....

and eligible for a special additional pension of Rs.1,000/2,000 if he is considered to have rendered service of a character deserving of the concession.”

FOURTH PAGE (DOCKET)

Application for pension or gratuity.

Date of application.....
Name of applicant.....
Last appointment.....
Class of pension or gratuity.....
Sanctioning authority.....
Amount of pension sanctioned.....
Amount of gratuity sanctioned.....
Date of commencement.....
Date of sanction.....

[Rules 435, 436, 439, 441, 442 and 463(a) of the E.P.S.R., Part I.]

PENSION PAPERS

OF

Mr.
.....
.....

INSTRUCTIONS

1. The Head of the Department or Office responsible for initiating the case should start filling in sections (2) to (5) of Part II of the working copy of the form one year before the expected date of retirement.

2. Six months before the date of retirement, the pensioner should be asked to fill in and sign Part I in a fresh copy of the form and submit it along with the required enclosures mentioned in the last paragraph of the application for pension.

3. Part I of the working copy should then be filled in by copying from Part I of the signed copy received back from the applicant. Similarly, sections (2) to (5), Part II of the signed copy will be filled in by copying from Part II of the working copy. Section (1) of Part II of both the forms should then be filled in.

4. The signed copy should be forwarded to the sanctioning authority after filling in and signing section (6), while the working copy will be retained in the initiating office as an office copy. If any extra enclosures, such as list of family members, Death Certificate, Invalid Certificate, etc., are required by the special nature of a case these should be attached with the form sent to the Audit Office.

5. The sanctioning authority should fill in section (7) of the form and send it to the Audit Office along with a forwarding letter.

6. The Audit Officer after scrutinising Parts I and II and arriving at his own findings about the correct length of qualifying service and amounts of Pension and Gratuity admissible, copy the gist of his findings from his working papers into Part III. The form will then be filed as a record of the Audit Office.

7. Before filling in the Form please read rules 244, 430, 431, 435, 436, 437, 438, 439, 440, 441, 442, 443 and 463 of the East Pakistan Service Rules, Part I.

FIRST PAGE

PART I

(To be filled in and signed by the applicant himself.)

APPLICATION FOR PENSION AND/OR GRATUITY

To

The
.....
.....

Sir,

*have retired

I have the honour to say that I *have been permitted to retire from Government

*am due to retire
service with effect fromI, therefore, request that the pension
(date)
admissible under the rules may kindly be sanctioned to me.

2. I declare that I have neither applied for nor received any pension or gratuity for any portion of this service, nor shall I submit any application hereafter without quoting a reference to this application and to the orders which may be passed on it.

3. Should the amount of the pension and/or gratuity granted to me be afterwards found to be in excess of that to which I am entitled under the rules I hereby undertake to refund any such excess.

4. I wish to draw my pension from the Government *Treasury-----at.....
*Sub-treasury

.....
(Place)

5. The following documents, duly attested, are enclosed--

- (i) Three specimen signature of mine.
- (ii) Three Photographs of mine.
- †(iii) Two sets of my Thumb and finger impressions on the prescribed form.

Your obedient servant,

(Signature)

(S/o

Dated

Post held on the date of retirement
Postal address

*Delete inapplicable alternative.
† Not required in the case of gazetted officers

SECOND PAGE

PART—II

(To be completed by the Department/Office receiving the application for pension)

Section (1)

(To be completed after receiving the pension application).

- †1. Name of applicant
- †2. Father's name
- †3. Nationality
- †4. Postal address
5. Post held on the date of retirement
6. Date of birth of the applicant
- *7. Height
- *8. Marks of identification
9. Date of { commencement of service
- retirement
- application for pension
10. Length of service, including interruptions, is.....out of this,
the length of non-qualifying service and interruption is.....
11. Date of commencement and ending of each spell of military service, if any—
- | From | to | i.e. | Y. M. D. |
|------|----|------|----------|
| From | to | i.e. | |
| | | | Total |
| | | | ----- |
| | | | ----- |

†Entries Nos. 1, 2, 3 and 4 should be made in capital letters.

* Not required in the case of Gazetted Officers.

12. Governments under which service has been rendered, in chronological order—

			Y.	M.	D.
Government of.....	From	to	i.e.		
Government of	From	to	i.e.		
Government of	From	to	i.e.		

Total			-----		

††13. Class of pension or gratuity applied for.....

14. (Average) emoluments

15. Proposed ordinary pension

16. Proposed special additional pension, if any

17. Proposed gratuity

†18. Place of payment (Government treasury or sub-treasury)

19. Date from which pension is to commence

Signature of Head of Office/Department.

†† If the application is for a compensation pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

† Entry No. 18 should be made in capital letters.

THIRD PAGE

Section (2)—Calculation of Qualifying Service.

		Y.	M.	D.
Total length of service including interruptions				
Nonqualifying service:—				
	From	To	Period.	
			Y.	M.
				D.
(i) Service rendered below the age of 20 years				
(ii) Extraordinary leave				
(iii) Suspension not treated as duty or as leave ..				
(iv) Periods of breaks in service				
(v) Service rendered before break, if break is not condoned.				
(vi) Service forfeited by resignation				
(vii) Unauthorised absence				
	Total	..	_____	

Net qualifying service.....

Add

		Y.	M.	D.
From To Period.				
	From	To	Y.	M.
				D.
(i) Periods, if any, of Military Service or War Service allowed to count for pension.				
(ii) Benefit of condonation of deficiency in service				
(iii) Any other addition to qualifying service. ..				
	Total	..	_____	

Total Qualifying Service.....

Section (3)—Calculation of Ordinary pension*:

Statement of emoluments during the last 36 months.

Period.		Duration in month and days.		Monthly rate of emoluments.		Amount drawn.	
From	To	M	D	Rs.	Ps.	Rs.	Ps.
The total emoluments for		36	..	Months are			

Therefore, "average emoluments" work out to ..Rs... $\times 1/36 =$ Rs.....

As the length of qualifying service is.....years, the amount of gross ordinary pension will be. = { Rs.....p. m.

Less—1/4th (if the applicant comes under the Pension-cum-Gratuity Scheme). = { Rs.....p. m.

Amount of net ordinary pension .. = { Rs.....p. m.

Please see rules 5(10) and rules 5(4) of the East Bengal Service Rules, Part I, before filling in this sections.

FOURTH PAGE

Section (4)—Calculation of Special Additional Pension.

Number of completed years of effective service in ----- years (A)
 *Grade III.

Number of completed years of effective service in ----- years (B)
 †Grade II.

Number of completed years of effective service in ----- years (C)
 ††Grade I.

Amount of special additional pension in Grade III Rs..... p. m.
 (A×25 subject to the maximum of Rs.125).

Amount of special additional pension in Grade II Rs..... p. m.
 (B×45 subject to the maximum of Rs.225).

Amount of special additional pension in Grade I (C×70 Rs..... p. m.
 subject to the maximum of Rs.350).

Total—Special additional pension admissible after Rs.----- p. m.
 applying the maximum prescribed in note below.

Less—1/4th (if the applicant comes under the Pension- Rs.----- p. m.
cum-Gratuity Scheme).

Amount of net special additional pension -- Rs.----- p. m.

Note—The combined maximum of Special Additional Pensions, Grade III and Grade II shall be Rs.225 p.m. and the combined maximum of Special Additional Pensions of all the three grades shall be Rs.350 per month.

Total Net Pension.....

*For officers drawing pay above Rs.3,000 but not exceeding Rs.3,250 p.m. at the rate of Rs. 25 p.m. for every completed year of effective service.

†For officers drawing pay above Rs.3,250 but not exceeding Rs.3,500 p.m. at the rate of Rs.45 p.m. for every completed year of effective service.

††For officers drawing pay above Rs.3,500 p.m. at the rate of Rs.70 p.m. for every completed year of effective service.

Amount of Net Ordinary Pension	--	..	Rs.....
Amount of Net Special Additional Pension		...	Rs.....
<hr/>			
Amount of Total Net Pension	..	..	Rs.....
<hr/>			

Section (5)—Calculation of Gratuity.

Amount of ordinary pension surrendered [see Section (3)]	Rs.....
Amount of special additional pension surrendered [see Section (4).]	Rs.....
<hr/>	
Total amount surrendered	Rs.....
<hr/>	

Length of qualifying service ..	..	..	Years.....
Rate of gratuity for every rupee surrendered	..	..	'Rs.140/130/120.
Lump sum gratuity admissible	..	..	Rs.....

FIFTH PAGE

Section (6)—Remarks by Head of Department Office.

(To be completed only after receiving the pension application).

1. Character and past conduct of the applicant.
2. Remarks regarding any gratuity or pension received by the applicant (see Chapter XXIII of E.P.S.R., Part I).
3. Specific remarks as to whether the service claimed is established and whether it should be admitted for pension or not [see Rules 436 (ii) and 441 (a)(ii) of E.P.S.R., Part I].
- * Remarks as to Special Additional Pension, stating whether or not the service rendered in a qualifying post in Grade III and/or II/or I satisfies the standard of work and conduct required in the special conditions of the post or duty for the grant of full special additional pension.
5. Any other remarks

*Signature of the Head of the
Department Office.*

Section (7)—Orders of the Sanctioning Authority.

1. The undersigned is satisfied that the service of.....
.....has been wholly satisfactory. The grant of full pension and/or gratuity which the Audit Officer may find to be admissible under the rules is hereby sanctioned. Please cross out this paragraphs with initials, if full pension is not granted.

OR

- The undersigned is satisfied that the service of.....
.....has not been wholly satisfactory, and it has been decided that the full pension and/or gratuity found by the Audit Officer to be admissible under the rules should be reduced by the specific amounts or percentage given below— Please cross out this paragraphs with initials, if full pension is granted.

Amount or percentage of reduction in pension.....

Amount or percentage of reduction in gratuity.....

*Applicable only in the case of officers who are eligible for special additional pension.

Sanction is hereby accorded to the grant of pension and/or gratuity as so reduced:

2. The following periods of service of the officer have been approved for the grant of special additional pension under the rules:—

Please cross out this paragraph with initials, when not applicable.

Grade III—

Period of service.....

Post/Posts held.....

Grade II—

Period of service.....

Post/Posts held.....

Grade I—

Period of service.....

Post/Posts held.....

3. The payment of pension and/or gratuity may commence from... Before issuing the pension payment order, the Audit Officer may kindly ascertain whether the Last Pay and No Demand Certificates have been received by him. In case "No Demand Certificate" has not been received, the Government servant, as soon as he retires or his family in the event of his death before retirement, may be requested to give his/its consent in writing to any amount outstanding against him on the date of retirement/death being recovered from the pension and/or gratuity in lump sum or in monthly instalments as before retirement/death and recoveries made accordingly.

Signature.....

Designation.....

SIXTH PAGE**PART—III***(For use in the Accountant-General's Office.)*

- (I) The calculations contained in the preceding pages have been checked.
- (II) Length of qualifying service accepted in Audit.
- (III) Reasons for difference, if any, between this and the length of qualifying service worked out by the Department.
- (IV) Amount of pension Rs.....
- (V) Reasons for discrepancy, if any, between this amount and that calculated by the Department.
- (VI) Length of effective service in the—
 Grade III.....years.
 Grade II.....years.
 Grade Iyears.
- (VII) Amount of special additional pension .. Rs.....
- (VIII) Reasons for discrepancy, if any, between this amount and that calculated by the Department.
- (IX) Amount of lump sum gratuity .. Rs.....
- (X) Reasons for discrepancy, if any, between this amount and that calculated by the Department.
- (XI) The pension will commence from

(XII) Allocation of the pension and gratuity—

	Pension.	Gratuity.
Government of	--	--
Government of	--	--
Government of	--	--
Defence Estimates	--	--
Total Rs.

(XIII) Anticipatory pension of Rs.....(Rupees.....) per month, granted with effect from..... vide P.P.O. No....., dated .. under Rule..... East Bengal Service Rules, Part I, to be adjusted in the final P.P.O.

(XIV) Amount of original pension commuted. -- Rs.....

Assistant Accountant-General.

Assistant Accounts Officer.

1. Checked with the L.P.C. and No Demand Certificate/Written consent vide para. 3 of section (7), Part II.
2. P.P.O. issued vide No....., dated.....

Assistant Accountant-General.

Assistant Accounts Officer.

Forms]

E. P. S. R. Form No. 3 (Pension)—

PENSION PAYMENT

COLLECTOR'S HALF

Place for signature of pensioner on the first payment made hereon.....

Class of pension and date of order sanctioning it.	Personal identification.	Height.		Date or approximate date of birth.	Sect.	Residence showing village and pargana.	Amount of monthly pension.
		Feet.	Inches.				

ACCOUNTANT-GENERAL'S OFFICE.

No.

Dacca.....19 .

SIR,

Until further notice and on the expiration of every month, be pleased to pay to *AB* the sum of Rs.....
 being the amount of.....pension, as.....

.....
 upon the production of the counterpart hereof taking from the claimant a receipt for the amount according to usual form. The payment should commence from.....

To THE COLLECTOR OF.....

Accountant-General.

NOTE.—Payment under this order is to be made only to the pensioner in person, with the following exceptions:—

- (a) To persons specially exempted by the Local Government.
 (b) To females unaccustomed to appear in public, and to persons unable to appear on account of illness or bodily infirmity.

[Payment in both classes (a) and (b) is made on production of a Life Certificate signed by a responsible officer of Government, or other well-known and trustworthy person.] (Rules 469 to 472.)

- (c) To any person sending a Life Certificate signed by some person exercising the powers of a Magistrate of any class under the Criminal Procedure Code or by any Registrar or Sub-Registrar under the Registration Act or by any pensioned officer who, before retirement, exercised the powers of a Magistrate. (Rules 469 to 472.)

Z

Referred to in rule 464.

ORDER (*Obverse*).

PENSIONER'S HALF.

Name of pensioner.....

Head of Charge.....

Class of pension, and date of order sanctioning it.	Date or approximate date of birth.	Sect.	Residence showing village and pargana.	Amount of monthly pension.

ACCOUNTANT-GENERAL'S OFFICE.

No.

Dacca.....19

SIR,

Until further notice and on the expiration of every month, be pleased to pay to *AB* the sum of Rs.....
being the amount of.....pension, as.....

.....
.....
upon the production of this order and a receipt according to usual form. The payment should commence from.....

To THE COLLECTOR OF.....

Accountant-General.

[NOTE (1).—Payment under this order is to be made only to the pensioner in person with the following exceptions:—

- (a) To persons specially exempted by the Local Government.
- (b) To females unaccustomed to appear in public, and to persons unable to appear on account of illness or bodily infirmity. [Payment in both classes (a) and (b) is made on production of a Life Certificate signed by a responsible officer of Government, or other well-known and trustworthy person.] (Rules 469 to 472.)
- (c) To any person sending a Life Certificate signed by some person exercising the powers of a Magistrate of any class under the Criminal Procedure Code, or by any Registrar or Sub-Registrar under the Registration Act, or by any pensioned officer who, before retirement, exercised the powers of a Magistrate. (Rules 469 to 472.)]

[NOTE (2).—On the decease of the pensioner, this order should be immediately returned by his family to the District Officer, with a report of the date of his decease.]

Forms]

PENSION PAYMENT.

REVERSE OF PENSIONER'S HALF.

Amount of pension Rs. (in words).....

Every separate payment is to be recorded below by the Disbursing Officer.

Month for which pension is due.	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	Remarks.
	Date of payment	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	
March ...											
April ...											

BLANK SPACE FOR FOLDING.

May ...											
June ...											
July ...											
August ...											
September											
October											
November											
December											
January											
February											

BLANK SPACE FOR FOLDING.

Month for which pension is due.	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	Remarks.
	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	
March ...											
April ...											
May ...											
June ...											
July ...											
August ...											

BLANK SPACE FOR FOLDING.

September											
October											
November											
December											
January											
February											

ORDER (Reverse.)

REVERSE OF COLLECTOR'S HALF.

Amount of pension Rs.....(in words).....

This document is to be retained by the Disbursing Officer so long as the authority remains in force in such manner that the pensioner shall have no access to it. Every separate payment is to be recorded below:—

Month or which pension is due.	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	Remarks.
	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	
March ...											
April ...											
May ...											
June ...											
July ...											
August...											
September											
October											
November											
December											
January											
February											

Month for which pension is due.	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	Remarks.
	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	Date of payment.	Disbursing Officer's initials.	
March ...											
April ...											
May ...											
June ...											
July ...											
August ...											
September											
October											
November											
December											
January											
February											

Forms]**E. P. S. R. Form No. 4 (Pension).—Referred to in rules 464 and 469.***(Obverse.)*

Payment Order No.

A B is permitted to draw his pension from the.....Treasury
 commencing from.....at the following
 rate, on production of "the counterpart of" (Disbursing Officer's copy only)
 this certificate.

Signature of A B.....*Signed*.....

Accountant-General.

Each payment should be recorded on the reverse of this order and certified
 by the Paying Officer.

(Reverse.)

Period for which payment is made.	Date of payment.	Signature of Paying Officer.

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SUPPLEMENT

GOVERNMENT OF EAST PAKISTAN

SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

Regulation Branch

Section II.

MEMORANDUM.

No. SGA/RII/IM-8/67-Part-343 (250), dated the 30th August, 1969.

SUBJECT—*Counting of War Service towards fixation of pay on employment to a civil post.*

The undersigned is directed to state that persons who rendered War Service between 3rd September, 1939 and 1st April 1946 are allowed increments in the time scale of the civil posts to which they are appointed after counting completed years of War Service in terms of G.O. No. 6371-F., dated 25th October, 1951 issued by the Finance (Audit) Department as incorporated in note below rule 49 of the East Pakistan Service Rules, Part I.

After careful consideration, Government have decided that the concession admissible in terms of the order and rule cited above shall be withdrawn with effect from the 31st December, 1969 and no claim preferred after that date shall be entertained.

The relevant rule of the East Pakistan Service Rules, Part I, will be amended in due course.

L. R. KHAN,
Deputy Secretary
to the Government of East Pakistan.

SUPPLEMENT**GOVERNMENT OF EAST PAKISTAN
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT****Regulation Branch***Section III.*

No. RIII/1S-27/70-66, dated Dacca, the 6th March, 1970.

SUBJECT—*Revision of the rate of subsistence grant admissible during suspension.*

The undersigned is directed to state that the Governor has been pleased to decide that the rate of the subsistence grant payable to suspended Government servants governed by rule 71 of the East Pakistan Service Rules, Part I, shall be enhanced from one-third to one-half of the pay of the suspended Government servant. Formal amendment to rule 71 incorporating this decision will be issued in due course.

2. A doubt has arisen as to whether, in the case of a Government servant who has been placed under suspension while on leave, the subsistence grant should be calculated with reference to his leave salary or with reference to his pay. Attention in this connection is invited to rule 74 of the East Pakistan Service Rules, Part-I which prohibits grant of leave to Government servants under suspension. Such a Government servant, therefore, ceases to be on leave as soon as he is placed under suspension, and the subsistence grant in his case also has to be calculated with reference to the pay which was admissible to him on the eve of the commencement of the leave.

3. These orders shall be deemed to have taken effect from the 1st December 1969.

N. HUQ,
*Deputy Secretary to the Government of
East Pakistan.*